



NOTICE is hereby given that the Collin County Community College District Board of Trustees will hold a meeting of the Organization, Education, and Policy Committee (Menon, Orr, and Arias) at 4:30 pm on Tuesday, June 22, 2021, in Room 227 at the Collin Higher Education Center, 3452 Spur 399, McKinney, Texas 75069.

Locations

Celina Campus

Collin Higher Education Center
McKinney, Texas

Courtyard Center
Plano, Texas

Farmersville Campus

Frisco Campus

McKinney Campus

Plano Campus

Public Safety Training Center
McKinney, Texas

Rockwall Center

Technical Campus
Allen, Texas

Wylie Campus

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Fred Moses

PUBLIC COMMENT

REVIEW AND DISCUSSION ITEMS

1. First Reading of Local Board Policy

CAK (Local) – Appropriations and Revenue Sources - Investments

2. Second Reading and Consideration of Approval of Local Board Policies:

DBA(Local) – Employment Requirements and Restrictions – Credentials and Records

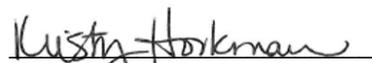
DEC(Local) – Compensation and Benefits – Leaves and Absences

FLDB(Local) – Student Complaints – Course Grade Complaints

FM(Local) – Discipline and Penalties

FMA(Local) – Discipline and Penalties – Discipline Procedure

3. Discuss Inquiry for Remote Options for Board Members that are Unable to Attend In-Person Board Meetings


For the Board of Trustees

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Collin County Community College District Board of Trustees

1.Organization, Education, and Policy Committee

June 22, 2021

Resource: Kim Davison
Chief of Staff

AGENDA ITEM: First Reading of Local Board Policy

- **CAK (Local)** Appropriations and Revenue Sources - Investments

DISCUSSION: As a part of the College's comprehensive review of all policies and with input from the Texas Association of School Boards' Legal and Policy Service, the local policy outlined below is being presented for your review as a first reading.

CAK (Local) Appropriations and Revenue Sources – Investments – The Public Funds Investment Act Government Code 2256.005(e) requires the following:
(e) The governing body of an investing entity shall review its investment policy and investment strategies not less than annually. The governing body shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies. The College's investment advisory firm, Meeder Investment Management, Inc., has conducted its annual review and recommends the following changes:

- elimination of the requirement for broker/dealers to certify the policy
- addition that each broker/dealer will receive a copy of the policy
- extension of the maturity limit on commercial paper from 180 days to 270 days
- addition of "interest bearing accounts from Texas banks" as an authorized investment type
- addition of language related to HB 2706 that allows investment of bond proceeds or pledged revenue only to the extent permitted by the Public Funds Investment Act and in accordance with both the relevant statutory provisions and the college district's local investment policy.

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

Purpose Statement	The College District is required under the Public Funds Investment Act (PFIA) Chapter 2256, Texas Government Code, to adopt a written investment policy. The College District is required to comply with the investment policy as approved by the Board in accordance with the standard of care as set forth in Chapter 2256.006, Texas Government Code.
Statement of Intent	The College District will invest public funds in a manner that provides the maximum security while meeting the daily cash flow demands of the College District, providing maximum potential interest earnings, and conforming to all state and local statutes governing the investment of public funds.
Scope	This investment policy applies to all financial assets of the College District. All funds are accounted for in the College District's Annual Financial and Compliance Report.
Prudence	<p>Investments will be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.</p> <p>The standard of prudence to be used by investment officers will be the "prudent person" standard and will be applied in the context of managing the overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence will be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.</p> <p>Prudent measures will be used to liquidate any investment that is downgraded to less than the required minimum rating.</p>
Objectives	<p>The primary objectives, in priority order, of the College District's investment activities will be:</p> <ol style="list-style-type: none">1. Safety: Safety of principal is the foremost objective of the College District's investment program. Investments of the College District will be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.2. Liquidity: The College District's investment portfolio will remain sufficiently liquid to enable the College District to meet all operating requirements that might be reasonably anticipated.

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3. Return on Investments: The College District's investment portfolio will be designed with the objective of attaining a reasonable market yield throughout budgetary and economic cycles commensurate with the College District's investment risk constraints and the cash flow characteristics of the portfolio.

Designated Officers

The College District's chief financial officer, the associate vice president of accounting and financial reporting, and the associate vice president/controller are expressly authorized by the Board to cause the investment of all available College District funds consistent with this policy and are therefore designated as the investment officers. Because of the various duties and responsibilities related to managing the investment portfolio, the College District's designated investment officers may delegate specific support duties and responsibilities to the revenues and receivables accountant. No person may engage in an investment transaction except as provided under the terms of this policy.

The College District may contract with a Securities and Exchange Commission (SEC)-registered investment adviser for non-discretionary management of the portfolio.

Ethics and Conflicts of Interest

Officers and employees involved in the investment process will refrain from personal business activity that could conflict with proper execution of the College District's investment program or that could impair their ability to make impartial investment decisions. Investment officers who have a personal business relationship with a business organization seeking to sell investments to the College District will file a statement disclosing the relationship to the College District's Board. Any material financial interests in financial institutions that conduct business with the College District, as well as any personal financial/investment positions that could be related to or have an impact upon the performance of the College District's portfolio, will be disclosed.

Additionally, any investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the College District will file a statement disclosing that relationship to the Texas Ethics Commission. A personal business relationship for this disclosure is defined as:

1. Owning ten percent or more of the voting stock or shares of the business organization or owning \$5,000 or more of the fair market value of the business organization;
2. Receiving funds from the business organization exceeding ten percent of gross income for the previous year; or

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3. Acquiring from the business organization during the previous year investments with a book value of \$2,500 or more for a personal account.

**Sellers of
Investments**

~~Prior to authorization by the College District as a broker/dealer for the College District, a broker/dealer or a qualified representative of a business organization must submit required written documents in accordance with law.~~

The firm and representatives of brokers/dealers will be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC), and be in good standing with the Financial Industry Regulatory Authority (FINRA). A copy of the policy will be sent to every authorized broker/dealer.

**Authorized Financial
Dealers and
Institutions**

The College District will maintain a list of qualified brokers/dealers authorized to engage in investment transactions. The Board will annually review, revise, and adopt this list of qualified brokers.

All approved brokers must have completed a College District broker/dealer questionnaire and will be sent a copy of the investment policy for their records.

Approved brokers will have a current financial statement on file and, if applicable, will have executed a Master Repurchase Agreement.

Local government pools will be sent a copy of the policy and must certify that they have reviewed that policy.

**Authorized
Investments**

The College District will pursue a conservative, proactive approach to investment activity, including bond proceeds and pledged revenue to the extent allowed by law, and although other investments may be authorized by law, the College District may invest only in investments authorized by the Board as listed below:

1. Treasury bills, treasury notes, and treasury bonds of the United States and other direct obligations of the agencies and instrumentalities of the United States.
2. Federal Deposit Insurance Corporation (FDIC) insured or collateralized time or demand deposits issued by a state or national bank domiciled in this state that are:
 - a. Insured by the FDIC or its successor; or
 - b. Secured by obligations described by the Public Funds Collateral Act, Chapter 2257.

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3. Fully collateralized repurchase agreements, as expressly defined in Section 2256.011, Texas Government Code.
4. Local government investment pools approved by the College District's Board, by resolution, with a continuous rating of no lower than AAA or an equivalent rating by at least one nationally recognized rating service, and striving to maintain a \$1 net asset value.
5. AAA-rated money market mutual funds meeting the following criteria:
 - a. The fund must be registered with and regulated by the SEC;
 - b. The fund must have a dollar-weighted average stated maturity of not more than 60 days;
 - c. An established objective of the fund must be to maintain a stable net asset value of \$1 for each share;
 - d. The fund must comply with SEC Rule 2a-7; and
 - e. The fund must meet all requirements of the Texas Public Funds Investment Act, as amended.
6. Domestic commercial paper rated A1/P1 or equivalent with a maximum maturity of ~~180~~270 days.
7. Obligations of states, agencies, counties, cities, and other political subdivisions of any U.S. state rated A or equivalent by a nationally recognized investment rating agency.
8. FDIC-insured brokered certificates of deposit securities issued by any bank in the U.S. delivery-versus-payment (DVP) to the College District's safekeeping agent.
9. Share certificates of credit unions domiciled in the state insured by the National Credit Union Insurance Fund.

~~9-10.~~ Interest bearing accounts in any bank in Texas, FDIC insured or collateralized in accordance with this policy.

**Prohibited
Investments**

The College District is strictly prohibited from investing in any of the following collateralized mortgage obligations (CMO):

1. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.

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2. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
3. Collateralized mortgage obligations that have a stated final maturity date of greater than ten years.
4. Collateralized mortgage obligations that have interest rates determined by an index that adjusts opposite to the changes in a market index.

Collateralization

Collateralization will be required on all bank time or demand deposits and repurchase agreements. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102 percent of market value of principal and accrued interest. The custodian will be independent and outside the holding company of the pledging institution or repurchase agreement counter-party.

Acceptable collateral for depository time and demand deposits includes only:

- Obligations of the U.S. government, its agencies, and instrumentalities;
- Obligations of or guaranteed by state and local governmental entities if rated "A" or better; and
- FHLB letters of credit.

Acceptable collateral for repurchase agreements includes only:

- Obligations of the U.S. government, its agencies, and instrumentalities; and
- Obligations of or guaranteed by state and local governmental entities if rated "A" or better.

All these securities are authorized by the Public Funds Collateral Act, Chapter 2257, Texas Government Code.

Additional collateral may be pledged or purchased as required, released as it is not needed, and substituted, if necessary, with the written consent of the investment officer.

Safekeeping

All security transactions, including collateral for repurchase agreements, entered into by the College District will be conducted on a DVP basis. Securities owned by the College District will be held by a College District contracted third-party safekeeping institution. Safekeeping receipts and clearance documents will be required for

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all securities purchased or sold by the College District and held in safekeeping by an authorized third party.

Diversification

Diversification by investment maturity based on cash flow needs will reduce the impact of adverse market fluctuations.

Maximum Maturities

To the extent possible, the College District will attempt to match its investments with anticipated cash flow requirements except the College District will not invest in securities maturing more than 36 months from the date of purchase.

The maximum dollar weighted average maturity of the total portfolio will not exceed 12 months.

Internal Controls

Duties related to investment activities will be delegated so that segregation of duties will be maintained with respect to purchasing, recording, authorizing, and reconciling investment accounts. The College District's designated investment officers will be responsible for all investment decisions. Written signature authorization of two of the aforementioned investment officers will be required to execute all investment purchases or sales.

As part of the annual financial audit, the external auditors will perform a compliance audit of management controls on investments and adherence to investment policies and procedures.

Delivery Versus Payment

All security transactions (with the exception of pool or money funds) by the College District will be settled "delivery versus payment." That is, the College District authorizes the safekeeping institution to release its funds only after a purchased security has been received by the institution.

Competitive Bidding Required

All investments will be purchased or sold on a competitive basis with bids or offers from a minimum of three College District authorized brokers/dealers for the best yield and maturity. New issue agencies must be compared to comparable securities as a competitive bid.

Monitoring Credit Ratings

The investment officer or investment adviser will monitor, on no less than a weekly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by policy, the investment officer or adviser will notify the CFO of the loss of rating, conditions affecting the rating, and possible loss of principal with liquidation options available, within five days after the loss of the required rating.

Loss of Credit Rating

The College District will monitor the credit ratings on securities that require minimum ratings. This may be accomplished through staff

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research or with the assistance of brokers/dealers, banks, safe-keeping agents, advisers, or other independent sources. In the event that the credit rating of any security falls below the minimum required rating, the College District will take all prudent measures that are consistent with its policy to liquidate the investment.

The College District is not required to liquidate investments that were authorized investments at the time of purchase. [See 2256.017]

Monitoring FDIC Coverage

The investment officer or investment adviser will monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the College District based upon information from the FDIC. If any bank has been acquired, or merged with another bank in which brokered CDs are owned, the investment officer or adviser will immediately liquidate any brokered CD that places the College District above the FDIC insurance level.

Reporting

Not less than quarterly, a written report of investment transactions for all funds will be prepared and signed by the investment officers and will be submitted to the Board. Reports will be prepared in accordance with requirements as specified in Section 2256.023, Texas Government Code. The quarterly written reports will be reviewed annually during the compliance audit of an independent auditor with the results reported to the Board.

Market Price

The investment portfolio will be marked to market monthly. Pricing information will be obtained from sources deemed independent and comparable by the associate vice president of accounting and financial reporting or the associate vice president/controller. If the price of a security is not available, the price may be estimated by analyzing similar securities' market values (matrix pricing).

Training

The College District's chief financial officer, the associate vice president of accounting and financial reporting, and the associate vice president/controller, being designated by the Board as the investment officers for the College District, will receive ten hours of instruction in accordance with the PFIA of the State of Texas within the first 12 months of assuming the position. Every succeeding two years the officers will receive at least ten additional hours of training relating to investment responsibility from an independent source approved by the Board.

Investment Policy Review and Adoption

The College District's investment policy will be adopted by written resolution of the Board stating that the Board has reviewed the investment policy and strategy and will include any changes made to either. The investment policies and strategies will be reviewed by

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the Board not less than annually. All revisions will be formally approved by the Board.

Investment Strategy

The College District maintains portfolios that use four specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolio(s). The weighted average maturity of the overall portfolio will not exceed one year.

Strategies for the investment of College District funds will address:

1. Investment suitability as it relates to the financial requirements and credit concerns of the College District;
2. Preservation and safety of principal to ensure that capital losses are avoided whether they be from defaults or erosion of market value;
3. Liquidity to the extent needed to pay the College District's obligations as they become due;
4. Investment marketability provided the need arises for the College District to liquidate the investment prior to its maturity date, although securities of all types are purchased with the intention of holding until maturity;
5. Investment diversification by maturity and market sector; and
6. Yield to attain the best yield on investments, while considering risk constraints and cash flow needs; the basis or benchmark used to determine whether market yields are being achieved will be the one-year Treasury Bill chosen for its comparability to the portfolio's maximum weighted average maturity.

Operating Fund

The primary objective of the investment strategy for the operating fund will be to ensure that anticipated cash flows are matched with adequate investment liquidity. Maturities will be staggered to meet operating expenditures, based on known and projected cash flows and market conditions. Thirty-six months is the maximum maturity for the majority of securities in the portfolio.

Building Fund

The primary objective of the investment strategy for the building fund will be to ensure that maturities are matched with anticipated cash flows. Maturities will be staggered so that they coincide with estimated draw down dates based on construction schedules and estimated project completion dates.

Debt Service Fund

The primary objective of the investment strategy for the debt service fund will be to ensure that investment liquidity is adequate to

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cover each succeeding debt service obligation on the required payment date. No investments may be made that exceed the next unfunded debt service payment date.

Debt Service
Reserve Funds

Debt service reserves have no anticipated expenditures. The funds are deposited to provide annual debt service payment protection to bond holders. Market conditions and arbitrage regulation compliance determine the advantage of security diversification and liquidity. Generally, if investment rates exceed the applicable arbitrage yield for a specific bond issue, the College District is best served by locking in investment maturities and reducing liquidity. If the arbitrage yield cannot be exceeded, the concurrent market conditions will determine the attractiveness of locking in maturities or investing shorter and anticipating future increased yields. Managing the portfolios maturities to not exceed the call provisions of the bond issue will reduce the investment's market risk if the College District's bonds are called and the reserve fund liquidated. No investment maturity will exceed three years. All portfolio investments will be in compliance with bond covenants and insurance requirements of all bond issues.

Collin County Community College District Board of Trustees

2021-06-X

June 22, 2021

Resource: Kim Davison
Chief of Staff

AGENDA ITEM: Report Out of the Finance and Audit and Organization, Education, and Policy Committees, First Reading of Local Board Policy

DISCUSSION: As a part of the College's comprehensive review of all policies and with input from the Texas Association of School Boards' Legal and Policy Service, the local policy outlined below is being presented for your review as a first reading.

CAK (Local) Appropriations and Revenue Sources – Investments – The Public Funds Investment Act Government Code 2256.005(e) requires the following:
(e) The governing body of an investing entity shall review its investment policy and investment strategies not less than annually. The governing body shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies. The College's investment advisory firm, Meeder Investment Management, Inc., has conducted its annual review and recommends the following changes:

- elimination of the requirement for broker/dealers to certify the policy
- addition that each broker/dealer will receive a copy of the policy
- extension of the maturity limit on commercial paper from 180 days to 270 days
- addition of "interest bearing accounts from Texas banks" as an authorized investment type
- addition of language related to HB 2706 that allows investment of bond proceeds or pledged revenue only to the extent permitted by the Public Funds Investment Act and in accordance with both the relevant statutory provisions and the college district's local investment policy.

SUGGESTED MOTION:

This being a first reading of local board policy, no action is required.

DRAFT

Collin County Community College District Board of Trustees

2. Organization, Education, and Policy Committee

June 15, 2021

Resource: Kim Davison
Chief of Staff

DISCUSSION ITEM: Second Reading and Consideration of Approval of Local Board Policies

- **DBA(Local)** – Employment Requirements and Restrictions – Credentials and Records
- **DEC(Local)** – Compensation and Benefits – Leaves and Absences
- **FLDB(Local)** – Student Complaints – Course Grade Complaints
- **FM(Local)** – Discipline and Penalties
- **FMA(Local)** – Discipline and Penalties – Discipline Procedure

DISCUSSION: The Organization, Education, and Policy Committee met on May 25, 2021, and reviewed the policies listed above for a first reading.

PROPOSED CHANGES: As a part of the College’s comprehensive review of all policies and with input from the Texas Association of School Boards’ Legal and Policy Service, the local policies outlined below are being presented for your approval.

- **DBA(Local) – Employment Requirements and Restrictions – Credentials and Records** - Updates required due to restructuring of accreditation institutions.
- **DEC(Local) – Compensation and Benefits – Leaves and Absences** - Authorizes the District President to pay an employee for earned but unused vacation hours in lieu of providing time off when deemed necessary due to critical needs of the college.
- **FLDB(Local) – Student Complaints – Course Grade Complaints** - This revision updates the title of the Grade Appeals Board (GAB).
- **FM(Local) – Discipline and Penalties**- Recommended revisions incorporate operational changes consistent with the College’s student discipline process.

- **FMA(Local) – Discipline and Penalties – Discipline Procedure-** Similarly, recommended revisions incorporate operational changes consistent with the College’s student discipline process.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

DBA
(LOCAL)

**Social Security
Number**

The College District ~~shall~~will not use an employee's social security number as an employee identifier, except for tax purposes [see DC]. In accordance with law, the College District ~~shall~~will keep an employee's social security number confidential.

**Custodian of
Personnel Records**

The College District designates the chief human resources officer as the custodian of personnel records to serve as the agent of the District President and maintain all records relating to all present and past employees of the College District.

**Employee
Credentials**

Degrees, credit hours, and certificates ~~shall~~will be evaluated and recognized by using the following criteria:

1. The degree and/or credit hours are from a college/university accredited (or in pre-accreditation status) by a nationally recognized accrediting agency ~~and also~~or an accrediting agency recognized by the Coordinating Board. Accredited institutions and nationally recognized accrediting agencies ~~shall~~will be determined by using the following:
 - a. Accredited Institutions of Higher Education.
 - ~~b. Education Directory, Colleges, and Universities.~~
 - ~~c. Federation of Regional Accrediting Commissions of Higher Education.~~
 - ~~d. Council on Postsecondary Accreditation.~~
 - ~~e-b.~~ U.S. Department of Education.
 - ~~c.~~ Coordinating Board.
 - ~~f-d.~~ Council for Higher Education Accreditation.
 - ~~g-e.~~ Other agencies or publications that will establish national recognition or accreditation.
2. If the degree/certificate is from a college, university, school, institution, or association outside the United States, it must be verified through a nationally recognized independent foreign transcript evaluation service or by a university in the United States qualified to conduct such evaluations.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Comprehensive Leave Program	The Board provides a comprehensive program of leave benefits for full-time employees of the College District.
Accrual of Leave	Leave hours accrue on the last day of each month. An employee who is in a paid status (at work or on paid leave) on the last day of the month earns leave hours for that month.
Reporting Absences	Employee absences are reported through a time and attendance reporting system. Supervisors ensure appropriate documentation and use of leave and take action, as needed, if an employee does not accurately report his or her absences. [See DMAA(LOCAL)]
Family and Medical Leave	<p>For purposes of the Family and Medical Leave Act (FMLA), the following eligible conditions apply:</p> <ol style="list-style-type: none">1. For the birth of a son or daughter, and to care for the newborn child;2. For placement with the employee of a son or daughter for adoption or foster care [For the rules regarding leave for “adoption” and “foster care,” see 29 C.F.R. 825.121];3. To care for the employee's spouse, son, daughter, or parent with a serious health condition;4. Because of a serious health condition that makes the employee unable to perform the functions of the employee's job;5. Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty status); and6. To care for a covered service member with a serious injury or illness incurred in the line of duty if the employee is the spouse, son, daughter, parent, or next of kin of the covered service member.
Immediate Family	For purposes of this policy, “immediate family” is defined as a dependent son or daughter, including a biological, adopted, or foster child; a stepchild; a legal ward, or a child for whom the employee stands <i>in loco parentis</i> who is under the age of 18, or someone 18 years or older who is incapable of self-care because of a mental or physical disability; and a spouse.
Family Emergency	The term “family emergency” will be limited to disasters and life-threatening situations involving the employee or a member of the employee’s immediate family.

Leave Day	A “leave day” for purposes of earning, use, or recording of leave will mean the number of hours per day equivalent to the employee’s usual assignment.
Catastrophic Illness or Injury	A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee’s immediate family. A catastrophic illness or injury is one that is expected to incapacitate the employee for an extended period of time (usually longer than five days) and that requires inpatient care in a hospital, hospice, or residential medical facility, or a regimen of continuing treatment of the employee by a health-care provider that requires absences from work for treatment. Catastrophic leave is only available for those employees who have exhausted all leave time earned by those employees. Such conditions typically require prolonged inpatient hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth will be considered catastrophic if they meet the requirements of this paragraph. The College District may require a second or third medical opinion, at its cost, to confirm that the illness or injury qualifies for catastrophic leave.
Earning Leave	An employee will not earn any form of paid leave when he or she is in unpaid status. An employee using full or proportionate paid leave will be considered to be in paid status.
Deductions	The College District will not approve paid leave for more leave days than have been carried over from prior years plus leave currently available. Any unapproved absences or absences beyond available paid leave will result in deductions from the employee’s pay. An employee’s final paycheck will be reduced for paid leave the employee used, but had not earned, as of the date of separation.
Leave Without Pay	
Leave Proration	Paid leave will be prorated based on the actual time employed within an academic year.
Order of Use	Earned compensatory time will be used before any available paid leave. [See DEA]
	Use of the sick leave bank will be permitted only after all available local leave has been exhausted.
Concurrent Use of Leave	When an absent employee is eligible for FMLA leave, the College District will designate the absence as FMLA leave. The College District will require the employee to use paid leave, including compensatory time, concurrently with FMLA leave.

An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness will be designated as FMLA leave.

Sick Leave

Full-time employees will earn eight hours of paid sick leave per month in accordance with administrative regulations.

Sick leave will accumulate to a maximum of 720 hours.

Sick leave will only be used for the following:

1. Illness of the employee.
2. Illness of a member of the employee's immediate family [see Immediate Family, above].
3. Up to three days (24 hours) of accrued sick leave each fiscal year for medical or dental appointments or to help care for an extended family member who is ill. Extended family members include parents, grandparents, adult children, grandchildren, siblings and in-laws, and step and foster relationships of the preceding.
4. Family emergency.
5. Birth or placement of a child when taken within the first year after the child's birth, adoption, or foster placement.
6. Contribution to the sick leave bank.

Sick Leave Bank

The College District will establish a sick leave bank to which all full-time employees may contribute up to 24 hours of earned but unused sick leave per year.

A full-time employee may request leave from the bank if the employee experiences a catastrophic illness or injury as defined in this policy and has exhausted all paid leave.

If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

Eligibility

Only full-time benefits-eligible employees may apply for use of the sick leave bank.

Eligible employees may only draw from the sick leave bank for a single diagnosis code for a period not to exceed the maximum allowable hours consistent with plan operating procedures.

The District President or designee will develop procedures for the operation of the sick leave bank that address the following:

1. Procedures to request leave from the sick leave bank;

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

2. The maximum number of days per academic year a member employee may receive from the sick leave bank;
3. The administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and
4. Other procedures deemed necessary for the operation of the sick leave bank.

Appeal

All decisions regarding the sick leave bank may be appealed in accordance with DGBA(LOCAL).

Family and Medical Leave

Twelve-Month Period

For purposes of an employee's entitlement to FMLA leave, the 12-month period will be measured forward from the date an individual employee's first FMLA leave begins.

Combined Leave for Spouses

If both spouses are employed by the College District, the College District provides a combined total of 12 weeks (in any combination) of FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition. The College District will limit military caregiver leave to a combined total of 26 weeks. [See DECA(LEGAL)]

Intermittent or Reduced Schedule Leave

The College District will permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. [See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]

Certification of Leave

If an employee requests leave, the employee will provide certification, as required by FMLA regulations, of the need for leave. [See DECA(LEGAL)]

Fitness-For-Duty Certification

If an employee takes FMLA leave due to the employee's own serious health condition, the employee will provide, before resuming work, a fitness-for-duty certification. If the College District will require certification of the employee's ability to perform essential job functions, the College District will provide a list of essential job functions to the employee with the FMLA designation notice.

Failure to Return

If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the College District may require reimbursement of premiums paid by the College District during the leave. [See DECA(LEGAL), Recovery of Benefit Cost]

Parental Leave

Employees who have been employed in a benefits-eligible position for at least 12 months are eligible to use ten days of paid parental leave at the time of the birth or adoption of a child. Parental leave

must be coordinated with the employee's concurrent leave under the FMLA and is available for use from the time of birth or placement of the child only. Parental leave must be used while the employee is on the related FMLA leave and does not accrue or remain available for use at a later date. Adjunct faculty, part-time employees, and employees on leave without pay status are not eligible for paid parental leave as outlined in this policy but may be eligible for unpaid FMLA leave.

Personal Leave

Full-time employees will earn 24 hours of paid leave each fiscal year to conduct personal business in accordance with administrative regulations. Personal leave will be noncumulative.

Request for Personal Leave

The employee will submit a request for use of personal leave in advance in accordance with leave of absence procedures and guidelines. In deciding whether to approve or deny personal leave, the supervisor or designee will not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee will, however, consider the effect of the employee's absence on the educational program or College District operations.

Vacation Leave

All full-time, 12-month staff and administrative employees will earn paid vacation in accordance with the schedule published in administrative regulations.

Upon successful completion of the new employee 90-day (calendar day) probationary period, eligible employees will receive vacation credit retroactive to the original service date, in accordance with the published vacation plan. Employees who terminate employment prior to completion of the new employee probationary period will have no accrued vacation credit.

Use of vacation leave will not exceed 15 consecutive workdays.

Carryover of earned but unused vacation hours will be permitted within the guidelines established by the District President or designee.

**Payment of
Vacation Leave in
Lieu of Time Off**

If sufficient funds are available in the Board-approved budget or from other appropriate funding sources, the District President may authorize a payment of up to 160 hours of an employee's earned but unused vacation leave hours. This payment would be in lieu of time off when an employee is not permitted or able to take requested vacation leave due to workload, special projects, or critical needs of the college, as designated by the District President.

If sufficient funds are not available, the request must be submitted to the Board for consideration to allocate the needed funds from appropriate reserve accounts.

An annual report of any authorized payments to employees under this sub-section of the policy will be presented to the Board as an information item following the fiscal year end.

Payment of
Vacation Leave at
Termination

Employees beyond the initial 90-day probationary period, who terminate eligible employment with the College District, will be paid for the current fiscal year's earned but unused vacation hours and up to a maximum of 80 hours of earned but unused carryover vacation hours from prior fiscal years.

Request for
Vacation Leave

The employee will submit a request for use of vacation leave in advance in accordance with leave of absence procedures and guidelines. In deciding whether to approve or deny vacation leave, the supervisor or designee will consider the effect of the employee's absence on the educational program or College District operations.

Sabbatical Leave

Sabbatical leaves are available to provide College District employees with a significant opportunity for professional growth. Sabbatical leaves are granted based on a review and recommendation by the sabbatical committee in response to the published priorities for the year, with subsequent review, recommendation, and consideration by the executive vice president, District President, and the Board. Sabbatical leaves are not granted on the basis of longevity and are not an entitlement.

Sabbatical leave may be granted, upon application, for study, research, writing, field observations, or other suitable purposes such as completing a degree, improving skills, and maintaining currency in the employee's discipline or field.

Eligible employees [see definition at DEC(LEGAL) Development Leaves of Absence] may apply for a sabbatical upon completion of five years of continuous full-time service. Six years of continuous full-time service must be completed before a sabbatical can commence.

The leave will be for one academic year at one-half of the faculty member's regular salary or for one-half academic year at full regular salary. Failure to return for all or part of the one-year period will make the person liable for the return of all, or part, of the sabbatical stipend in proportion to the percent of time not completed.

An otherwise eligible employee who has received a sabbatical leave within the past five years, whose position is funded by an external grant or contract, or who is in his or her last year of full-time employment with the College District is ineligible for sabbatical leave.

The chief human resources officer and the chair of the sabbatical leave committee are available to answer questions concerning the sabbatical leave policy and procedures.

Bereavement Leave

A full-time benefits-eligible employee will be granted up to 40 hours of paid bereavement leave upon the death of an employee's spouse, child, parent, or other person who occupies a position of similar importance in the employee's family in accordance with administrative regulations.

A full-time benefits-eligible employee will be granted up to 24 hours of paid bereavement leave upon the death of other family members of the employee to include siblings, grandparents, grandchildren, parents-in-law, and siblings-in-law, or other person who occupies a position of similar importance in the employee's family in accordance with administrative regulations, including an employee's step and foster relationships of the above.

Bereavement leave will be noncumulative.

Critical Illness Leave

Definition

"Critical illness" is defined as a life-threatening condition.

Benefit

A full-time employee will be granted up to 24 hours of paid critical illness leave for absences associated with the critical illness of an immediate family member or other family members of the employee to include siblings, grandparents, grandchildren, parents-in-law, and siblings-in-law, or other person who occupies a position of similar importance in the employee's family, in accordance with administrative regulations.

Critical illness leave will be noncumulative.

Workers' Compensation

Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the College District's contribution to health insurance. [See CKD(LOCAL) regarding payment of insurance contribution during employee absences.]

An absence due to a work-related injury or illness will be designated as FMLA leave.

An employee eligible for workers' compensation income benefits may elect in writing to use paid leave.

Extraordinary Circumstances

Up to 40 hours of leave without pay may be granted to an employee for extraordinary circumstances that cannot be addressed within the paid leave benefits provided by the College District, in

accordance with administrative procedures and guidelines for faculty and staff. An employee who has been employed more than 12 months may request leave without pay of up to 720 hours after he or she has exhausted all eligible leave, including paid, unpaid, and FMLA leave for his or her own serious health condition or that of an immediate family member, to include the spouse or dependent child(ren) of the employee. Upon return from the leave of absence, the employee will be eligible for the same or similar position, upon release from his or her physician, if applicable, consistent with the College District's procedures and guidelines for faculty and staff.

Employees not Eligible for FMLA Leave

A full-time employee who has not yet worked the required 12 months and 1250 hours to qualify for FMLA leave may take a maximum of 160 hours of leave without pay for his or her own serious health condition or for the serious health condition of the employee's spouse and dependent children of the employee.

Expiration of Available Leave and Attendance Policy

When an employee is close to using all earned paid and unpaid approved leave, the College District will send a letter to the employee at the home address on file explaining that his or her leave is almost exhausted and the notification requirements for returning to work. If the employee's absence is due to his or her own medical condition, the employee must present a written medical clearance form, a health-care professional who verifies the employee is able to perform the essential functions of his or her position, and a description of any requested job-related accommodations provided by the deadline to the College District.

[See DMAA]

If an employee is not medically released to return to work, with or without reasonable accommodations, when all available paid and unpaid leave has been exhausted, the employee's employment with the College District will end, absent a request by the employee for a reasonable accommodation. Communications with the employee will be consistent with administrative procedures and guidelines.

Voting in Public Elections

An employee is expected to vote before or after his or her scheduled working hours unless voting at a polling location on a College District campus. In the rare instance that this is not possible, the employee may request prior approval from his or her supervisor for time off, not to exceed two hours, to vote.

Court Appearances

Absences due to compliance with a valid subpoena for College District-related business or for jury duty will be fully compensated by the College District and will not be deducted from the employee's pay or leave balance.

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Absences due to compliance with a valid subpoena for personal business will be deducted from the employee's personal leave or vacation leave or result in loss of pay at the employee's daily rate for each day of work missed.

**Other Absences and
Leave Without Pay**

Any other absences or granted leaves of absence will result in an appropriate deduction from pay or deduction from eligible leave balances, consistent with the College District's procedures and guidelines for faculty and staff.

**Freedom from
Capricious Grading**

Students have a right to be free from capricious grading and to be treated fairly in grading and classroom practices. In most circumstances, students ~~shall~~should seek to settle any dissatisfaction concerning grades directly with the faculty member involved. If a grade dispute cannot be settled in this way, students ~~shall~~should consult the ~~dean of the appropriate academic division~~ appropriate associate academic/workforce dean or academic/workforce dean. If the issue remains unresolved, the student may appeal to the ~~grade appeals task force~~ Grade Appeals Board (GAB).

Appeals to the ~~grade appeals task force (GATF)~~ Grade Appeals Board (GAB) ~~shall~~will be filed with the chair of the ~~GATF-GAB~~ no later than the last regular class day of the next long semester after receiving the grade. An allegation of capricious grading shall be handled according to the grade appeals procedure outlined in the student handbook.

Note: For procedures related to student discipline, see FMA.

Penalties for Student Misconduct

A student will be subject to discipline for violations of College District policies and procedures, including the rules outlining expectations for student conduct [see FLB]. If a student commits an infraction or engages in misconduct, the College District may impose one or more of the following types of penalties:

1. Reprimand - A verbal or written warning to the student following a rule violation. Repetition of such misconduct may result in more severe disciplinary action.
2. Restitution - Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.
3. Scholastic penaltyies - The assignment of a failing grade on an assignment or examination or in a course by an instructor after a student is found responsible through the student disciplinary process for~~based on~~ scholastic dishonesty, including, but not limited to, cheating, collusion, and plagiarism; ~~committed by a student~~. The instructor or program director will submit a written report of the incident and of the recommended planned scholastic penalty(ies) action to their instructor's associate dean and/or dean.
4. Educational Project Experience (EPE) – An assignment or experience allowing the student to learn specific behaviors or lessons related to the student's conduct and the specifics of the student's disciplinary case. EPEs offered by the College District include, but are not limited to, awareness seminars, essays or written assignments, and online learning modules.
5. Conditional Probation - The placing of a student on notice that continued infraction of regulations may result in suspension or expulsion from the College District. Conditional probation may include restrictions on a student's rights and privileges or specified community service. The Conditional pProbation may be for a specified length of time or ~~for an~~ indefinite period according to the relative severity of the infraction or misconduct. Failure to fulfill the terms of the Conditional pProbation may lead to suspension or expulsion.
6. Suspension - Forced withdrawal from the College District for either a definite period of time or until stated conditions have been met. Normally, suspension will extend through a minimum of one regular long semester (with summer sessions not

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counting in the one semester minimum time lapse). However, suspension may exceed the one semester minimum.

7. Expulsion - Permanent forced withdrawal from the College District. A student receiving expulsion will have the action noted in the student's permanent record.

Suspended or
Expelled Students

No former student who has been suspended or expelled from the College District for disciplinary reasons will be permitted on the campus or other facilities of the College District, initiated into an honorary or service organization, or permitted to receive credit for academic work done in residence or by correspondence or extension during the period of suspension or expulsion without the prior written approval of the appropriate administrator or the Board.

**Disciplinary Records
and Retention**

The College District will maintain for every student alleged or determined to have committed misconduct at the College District, a disciplinary record that will reflect the charge(s), the disposition of the charge(s), the sanction(s) assessed, if any, and any other pertinent information. The disciplinary record will be separate from the student's academic record and will be treated as confidential; the contents will not be revealed except on request of the student or in accordance with applicable state or federal laws.

The disciplinary record will be maintained permanently in the event that a student is expelled or subject to an extended suspension. In all other cases, the disciplinary record will be maintained in accordance with the College District's records retention schedule.

Publication

Information regarding student discipline described in College District policies and accompanying procedures will be published in the student handbook.

**Reports of Alleged
Misconduct**

College District faculty and staff will submit an alleged violation or violations of College District policies and procedures, including the rules for student conduct [see FLB], committed by a student to the dean of students within a reasonable time following an alleged incident, not to exceed ten College District business days. For the purpose of this policy, "a reasonable time" means within ten College District business days of the alleged incident or, in the case of scholastic dishonesty, within ten College District business days of the date the instructor reviews the assignment in question.

The allegation(s) must be submitted in writing, through traditional or electronic means, and must describe the violation(s) and any surrounding facts.

Exception

The dean of students or designee will investigate the matter, as necessary appropriate.

Dismissal of
Allegation

Reports of sex discrimination or sexual harassment will be submitted in accordance with DIIA or FFDA, as appropriate.

Exception

If an allegation is deemed to be unfounded, the dean of students or designee will dismiss the allegation and will provide the student written notice that the allegation of misconduct was made against the student and that the allegation was dismissed.

**Notification
Conference**

~~Reports of sex discrimination or sexual harassment will be submitted in accordance with DIIA or FFDA, as appropriate.~~

If, ~~however,~~ the dean of students or designee determines ~~that~~ the allegation warrants further consideration, the dean of students or designee will summon the student for a notification conference to be held within a reasonable time, not to exceed ten College District business days, following ~~the~~ receipt of the allegation of misconduct.

At the notification conference, the dean of students or designee will ~~notify-inform~~ the student of the allegation(s) ~~or allegations~~ and provide the student an opportunity to respond and submit applicable documentation or evidence for consideration by the dean of students or designee.

Unfounded
Allegations "Not
Responsible"
Administrative
Decision

After conferring with the student, if the dean of students or designee determines ~~that~~ the student did not commit a violation, the ~~allegation or allegations will be dismissed as unfounded~~ student will be found not responsible and will not be issued a disciplinary penalty under FM. The student will be provided written notice of the dismissal "Not Responsible" administrative decision. A "Not Responsible" administrative decision from the dean of students or designee will be final, and binding, and the student will not be allowed to appeal that decision.

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Informal
Administrative
Decision/Resolution

If the dean of students or designee determines that addressing the allegation(s) informally is more appropriate, the dean of students or designee will recommend an informal resolution of the allegation(s). The dean of students or designee will ~~will~~-may recommend behavioral directives to support compliance with the College District's *Student Code of Conduct*. If the student agrees to comply with all recommended behavioral directives, ~~then~~ the dean of students or designee will issue an Informal Resolution Agreement and the student will not be issued a disciplinary penalty under FM. As part of the Informal Resolution Agreement, the student will be required to sign an Acknowledgment Statement indicating the student will comply with the *Student Code of Conduct* for the designated time or for the remainder of their attendance at the College District. Once the Acknowledgment Statement is signed, the Informal Resolution Agreement will be final, binding, and the student will not be allowed to appeal the Informal Resolution.

Formal
Administrative
Decision and
Misconduct
Warranting a
Disciplinary
Penalty

If the dean of students or designee determines ~~that~~ the student committed misconduct that warrants a penalty or penalties under FM, the dean of students or designee will provide the student a written administrative decision with notice of the penalty or penalties and the student's options, including the right to appeal to the ~~disciplinary~~ Disciplinary Appeals Committee (DAC).

Student Chooses
to Appeal the
Administrative
Decision

If the student chooses to appeal the administrative decision of the dean of students or designee, they must submit the Disciplinary Appeal Request Form contained in the administrative decision documents on or before the tenth College District business day following the administrative decision. Once the deadline for filing an appeal has passed, the administrative decision of the dean of students or designee will be final, binding, and the student will not be allowed to appeal that decision. The student will be expected to comply with all disciplinary penalties and obligations set forth in the administrative decision.

Student Chooses
to Accept the
Administrative
Decision

A student who chooses to accept the administrative decision rendered by the dean of students or designee will sign an ~~acceptance~~ Acceptance of the Administrative Decision ~~s~~Statement indicating ~~he or she~~ they understands:

1. the Student Code of Conduct violation(s),
2. the disciplinary penalty, or penalties imposed, and
- 4.3. _____ that by signing the ~~acceptance~~ Acceptance of the Administrative Decision ~~s~~Statement ~~he or she~~ they voluntarily waives the right to appeal.

The Acceptance of the Administrative Decision Statement must be

signed no later than ten College District business days following the administrative decision. Once the ~~acceptance~~ Acceptance of the Administrative Decision Statement is signed or the deadline for filing an appeal has passed, the administrative decision of the dean of students or designee will be final, binding, and the student will not be allowed to appeal that decision. The student will be expected to comply with all disciplinary penalties and obligations set forth in the administrative decision.

Student Chooses to Take No Action

If the student does not sign the Acceptance of the Administrative Decision Statement or submit the Disciplinary Appeals Request Form by the **stated** deadline, the administrative decision of the dean of students or designee will be final, binding, and the student will not be allowed to appeal that decision. The student will be expected to comply with all disciplinary penalties and obligations set forth in the administrative decision.

Scholastic Dishonesty Violations

If the student was found responsible for a scholastic dishonesty violation, as defined in the College District's *Student Code of Conduct*, the student may also receive a scholastic penalty **in the course where the scholastic dishonesty took place**. The faculty member will determine the appropriate scholastic penalty, which may range from a grade of zero on the assignment to failing the course. [See FLB and FM.]

Interim Disciplinary Action

The dean of students or designee may take immediate interim disciplinary action; including, but not limited to, temporary immediate suspension pending a hearing, against a student for policy violations if the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the educational environment.

Disciplinary Appeals Committee (DAC)

The ~~disciplinary Appeals Committee~~ **Disciplinary Appeals Committee (DAC)** will be convened ~~on~~ at the request of a student appealing the formal administrative decision and/or **disciplinary** penalty or penalties imposed by the dean of students or designee. The student's request must be submitted in writing within ten College District business days of the date of the dean of students or designee's written administrative decision. Upon receipt of the student's request for appeal and under reasons designated by the DAC, the DAC may recommend that the matter return to an **informal Resolution by the dean of students or designee prior to the scheduling of the DAC appeal hearing.**

Composition

The ~~disciplinary appeals committee~~ **DAC** will be composed of at least ~~four~~ three College District employees and a minimum of one current College District student, when appropriate. To hold an appeal hearing, a quorum of three DAC members must be met. The members of the ~~disciplinary appeals committee~~ **DAC** and the com-

mittee chairperson will be designated according to procedures developed by the designated leadership team member. All members ~~chosen to serve on the DAC appeal hearing panel of the disciplinary appeals committee~~ will be eligible to vote on the issue of whether or not the student violated College District policies and procedures, including the rules for student conduct, and whether the student should receive an appropriate disciplinary penalty or penalties during the hearing.

DAC Appeal
Hearing Notice

The dean of students or designee will notify the student by letter of the date, time, and place for the DAC appeal hearing. Unless the student and the dean of students or designee otherwise agree or unless there are unforeseeable circumstances beyond the College District's control, the DAC appeal hearing will take place within a reasonable time period, not to exceed ten College District business days after the date of the student's request for the appeal hearing ~~or the dean of students or designee's determination that the student should be suspended.~~ The dean of students may extend the College District's ten-day timelines within this policy by sending written notice to the parties of the extension.

*Contents of
Notice*

The notice will:

1. Direct the student to appear on the date and at the time and place specified.
2. Advise the student of ~~his or her~~their rights to:
 - a. ~~To h~~Have a private appeal hearing.
 - b. ~~To b~~Be assisted by an adviser or legal counsel at the appeal hearing.
 - c. ~~To e~~Call witnesses, request copies of evidence in the College District's possession, and offer evidence and agreement on ~~his or her~~their own behalf.
 - d. ~~To m~~Make an audio recording of the proceedings, after first notifying the dean of students or designee in advance of the hearing, or, at the student's own expense, to have a stenographer present at the appeal hearing to make astenographic transcript of the appeal hearing.
 - e. ~~To a~~Ask questions of each witness who testifies against the student.
3. Contain the names of witnesses who will testify against the student and a description of documentary and other evidence that will be offered against the student.
4. Contain a description of the allegation(s) of misconduct in sufficient detail to enable the student to prepare ~~his or her~~their

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defense against the charges.

5. State the proposed ~~punishment~~ disciplinary penalty or range of ~~punishments~~ disciplinary penalties that may be imposed.

Failure to Appear
for DAC Appeal
Hearing

The ~~disciplinary appeals committee~~ DAC may impose an appropriate ~~punishment~~ disciplinary penalty or penalties upon a student who fails without good cause to appear for the appeal hearing.; ~~f~~For purposes of assessing ~~punishment~~ an appropriate disciplinary penalty or penalties, the ~~committee~~ DAC may proceed with the ap-
peal hearing in the student's absence.

All DAC appeal hearings will be recorded by the College District.

DAC Appeal
Hearing Procedures

The appeal hearing will proceed as follows:

1. The chairperson or associate chairperson will read the description of the alleged misconduct.
2. The chairperson or associate chairperson will inform the student of ~~his or her~~ their rights.
3. The ~~designated official or representative~~ dean of students or designee will present the College District's case.
4. The student or representative will present the student's defense.
5. The ~~designated College District official or representative~~ dean of students or designee will present rebuttal evidence.
6. The ~~committee~~ DAC members may ask questions of witnesses testifying on behalf of the student or the College District.
7. The ~~designated official or representative~~ dean of students or designee will summarize and argue the College District's case.
8. The student or representative will summarize and argue ~~his or her~~ their case.
9. The ~~designated official or representative~~ dean of students or designee will have an opportunity for rebuttal argument.
10. The ~~committee~~ DAC members will deliberate in closed session. The ~~committee~~ DAC members will vote on the issue of whether or not the student violated College District policies and procedures, including the rules for student conduct, and whether the student should receive an appropriate disciplinary penalty or penalties.
11. If the ~~committee~~ DAC finds the student committed misconduct, the ~~committee~~ DAC members will determine whether the

disciplinary penalty assessed, or proposed in the case of rec-ommendation for expulsion, by the dean of students or designee is appropriate and, if necessary, will assess a different or additional penalty.

12. The ~~committee-DAC~~ chairperson or associate chairperson will communicate the decision and any findings of facts in support of the ~~committee's-DAC's~~ decision to the student-dean of students or designee in writing within ten College District business days of the appeal hearing. The dean of students or designee will notify the student in writing within ten College District business days of the appeal hearing of the DAC's decision and the disciplinary penalty or penalties imposed, if any. The notice will include procedures for accepting the DAC's decision or appealing the committee's-DAC's decision to the designated leadership team member.

Evidence

~~All hearings will be recorded by the College District.~~

Evidence will be handled in accordance with the following:

1. Legal rules of evidence do not apply unless otherwise required by applicable Title IX regulations; the ~~committee-DAC~~ chairperson or associate chairperson may admit evidence or exclude evidence considered to be irrelevant, immaterial, and unduly repetitious.
2. At the appeal hearing, the College District will be required to prove by a preponderance of the evidence that the charges are true.
3. A student may not be compelled to testify.
4. The ~~committee-DAC~~ will determine if a violation has occurred and assess an appropriate disciplinary penalty or penalties based solely on the evidence presented at the appeal hearing.

After the Appeal Hearing

The dean of students or designee will notify the student in writing, within ten College District business days of the appeal hearing, of the DAC's decision and the disciplinary penalty or penalties imposed, if any. The notice will include procedures for accepting the DAC's decision or appealing to the designated leadership team member.

**Appeal to College
District
Administration
the
Designated
Leadership Team
Member**

A student may, within ten College District business days of receiving notice of the ~~disciplinary~~ Disciplinary appeal Appeal committee's Committee's (DAC's) decision, petition in writing the designated leadership team member to review the decision. To initiate the appeal to the designated leadership team member, the student must submit the Disciplinary Appeal Request Form contained in the DAC's decision documents on or before the tenth College District business day following the DAC's decision. The student's petition will state with particularity why the decision is believed to be incorrect.

After receiving notice of the appeal, the ~~disciplinary appeals committee~~ DAC chairperson or associate chairperson will forward all evidence considered during the appeal hearing, the audio recording of the appeal hearing, and the digest of the appeal hearing, if applicable, to the designated leadership team member.

The designated leadership team member will hold a conference within ten College District business days after the appeal notice is filed, unless there are unforeseeable circumstances beyond the College District's control. At the conference, the student may provide information concerning any documents or information relied on by the ~~committee~~ DAC. The designated leadership team member may set reasonable scope and time limits for the conference. The conference will be audio recorded.

The designated leadership team member will provide the student a written response, stating the basis of the decision, within ten College District business days following the conference. In reaching a decision, the designated leadership team member may consider the evidence included in the student's petition, provided during the conference, and forwarded by the ~~committee~~ DAC chairperson or associate chairperson.

The designated leadership team member may act to affirm, modify, remand, or reverse the decision of the ~~disciplinary appeals committee~~ DAC. The designated leadership team member's decision is final and non-appealable, except when expulsion is recommended by the dean of students or designee and/or the ~~disciplinary appeals committee~~ DAC and affirmed by the designated leadership team member.

After the Appeal

The designated leadership team member or designee will notify the student in writing within ten College District business days of the appeal of the decision and the disciplinary penalty or penalties imposed, if any. The notice will include procedures for accepting the designated leadership team member's decision or for appealing to the District President or designee solely in those cases where expulsion is recommended and affirmed.

**District President
Review of
Recommendation for
Expulsion**

Solely in the case where expulsion is recommended and affirmed, a student may appeal to the District President or designee. An appeal to the District President or designee will be held on the request of a student appealing the designated leadership team member's decision and affirmation of expulsion. The appeal request must be submitted in writing within ten College District business days of the designated leadership team member's decision. To initiate the appeal to the District President or designee, the student must submit the Disciplinary Appeal Request Form contained in the designated leadership team member's decision documents on or before the tenth College District business day following the designated leadership team member's decision.

The District President or designee may request a meeting with the student prior to issuing a final administrative decision.

The District President or designee will review all recommendations for expulsion, whether or not the student chooses to proceed through the disciplinary appeals process. The designated leadership team member will forward the recommendation for expulsion and evidence to the District President or designee for review and final consideration. The District President or designee may act to affirm, modify, or reverse the recommendation for expulsion.

The student will be notified in writing of the District President or designee's decision within ten College District business days. The District President or designee's decision is final and non-appealable. Unless otherwise specified in writing, expulsion ~~shall will~~ have College District-wide effect, and an expelled student may not enroll for admission to any campus without the District President or designee's approval unless the ~~expulsion has expired by its own terms~~ student's petition to revoke the expulsion is approved [see Petition to Revoke Expulsion].

**Petition to Revoke
Expulsion**

Once five calendar years from the date of the District President or designee's final decision ~~have expired~~ lapsed, the student may petition to revoke the expulsion. To initiate the expulsion revocation process, the student must complete the Expulsion Revocation Form and return it to the dean of students or designee.

If the petition to revoke the expulsion is approved by the District President or designee, the student will be required to meet with the dean of students or designee prior to returning to the College District. Once the meeting with the dean of students or designee is

concluded, the student will be allowed to return to all College District campuses and ~~may~~ will be considered to be in good disciplinary standing.

If the petition to revoke expulsion is not approved by the District President or designee, the student's expulsion will remain in effect and the student will not be allowed to return to the College District.

**Administrative
Decisions Related to
a Crime of Violence
or Non-Forcible Sex
Offense**

Upon written request, the College District will disclose to the alleged victim of a crime of violence or non-forcible sex offense, as ~~that those~~ terms ~~is~~ are defined under the Clery Act, the report on the results of any disciplinary proceeding and/or appeal(s) conducted by ~~Collin College~~ the College District against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the College District will treat the alleged victim's next of kin as the alleged victim.

Collin County Community College District Board of Trustees

2021-06-X

June 22, 2021

Resource: Kim Davison
Chief of Staff

AGENDA ITEM:

Report Out of the Organization, Education, and Policy Committee, Second Reading and Consideration of Approval of Local Board Policies

- **DBA(Local)** – Employment Requirements and Restrictions – Credentials and Records
- **DEC(Local)** – Compensation and Benefits – Leaves and Absences
- **FLDB(Local)** – Student Complaints – Course Grade Complaints
- **FM(Local)** – Discipline and Penalties
- **FMA(Local)** – Discipline and Penalties – Discipline Procedure

DISCUSSION:

The Organization, Education, and Policy Committee reviewed all policies presented in this item. The Committee Chair will report out a recommendation at the June 22, 2021 regular meeting of the Board of Trustees.

PROPOSED CHANGES:

As a part of the College’s comprehensive review of all policies and with input from the Texas Association of School Boards’ Legal and Policy Service, the local policies outlined below are being presented for your approval.

- **DBA(Local) – Employment Requirements and Restrictions – Credentials and Records** - Updates required due to restructuring of accreditation institutions.
- **DEC(Local) – Compensation and Benefits – Leaves and Absences** - Authorizes the District President to pay an employee for earned but unused vacation hours in lieu of providing time off when deemed necessary due to critical needs of the college.
- **FLDB(Local) – Student Complaints – Course Grade Complaints** - This revision updates the title of the Grade Appeals Board (GAB).

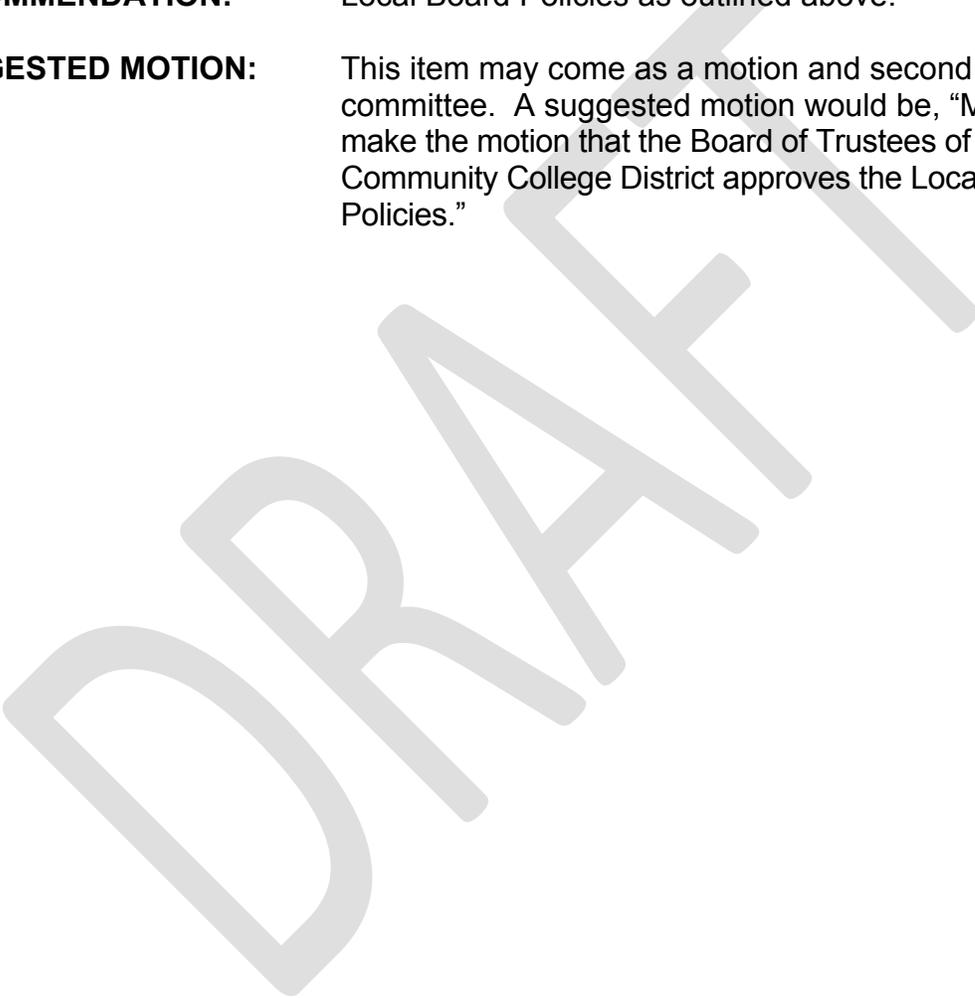
- **FM(Local) – Discipline and Penalties-** Recommended revisions incorporate operational changes consistent with the College’s student discipline process.
- **FMA(Local) – Discipline and Penalties – Discipline Procedure-** Similarly, recommended revisions incorporate operational changes consistent with the College’s student discipline process.

DISTRICT PRESIDENT’S RECOMMENDATION:

The District President recommends approval of the five Local Board Policies as outlined above.

SUGGESTED MOTION:

This item may come as a motion and second out of committee. A suggested motion would be, “Mr. Chairman, I make the motion that the Board of Trustees of Collin County Community College District approves the Local Board Policies.”



Collin County Community College District Board of Trustees

3. Organization, Education, and Policy Committee

June 22, 2021

Resource: Monica A. Velazquez
General Counsel

DISCUSSION ITEM: Discuss Inquiry for Remote Options for Board Members that are Unable to Attend In-Person Board Meetings

DISCUSSION: At a previous OEP meeting, there was a discussion by General Counsel Monica Velazquez regarding providing a teleconference or remote options for Board members that are unable to attend the in-person meetings being held by the Board of Trustees and compliance with the Texas Open Meetings Act.

A follow-up discussion is planned to address the analysis of legal requirements applicable to a specific accommodation request for online meetings for Trustees, including a discussion of potential Board procedures for Trustees seeking accommodations.