



**Regular
Coastal Bend College District
3800 Charco Road
Beeville, TX 78102**

**Notice/Agenda of Regular
Board of Trustees
Coastal Bend College District
Tuesday, June 16, 2020**

A Regular of the Board of Trustees of the Coastal Bend College District will be held on Tuesday, June 16, 2020 beginning at 5:30 PM in the Sandy Dirks Board Room, 3800 Charco Road, Beeville, TX 78102.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. **INVOCATION**
2. **MEMBERS AND VISITORS PRESENT**
3. **PUBLIC COMMENTS**
 - A. PUBLIC COMMENT ON AGENDA ITEMS: The Board of Trustees will hear public comment on agenda items at all open meetings in accordance with Texas Government Code Section 551.007
 - B. PUBLIC COMMENT ON NON-AGENDA ITEMS: In addition, the Board of Trustees will hear public comment on non-agenda items in accordance with Board Policy DBD (LOCAL)
4. **CONSENT AGENDA**
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 - B. Consideration and Possible Action to Approve the April 21, 2020 Regular Board Meeting Minutes 5
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F. Consideration and Possible Action to appoint Mr. Gomez and Mr. Saenz to the Bee Development Authority Board of Directors	123
G. Consideration and Possible Action to Approve Amendments to the College District's current 2020 – 2021 Academic Calendar	125
H. Consideration and Possible Action to Approve the Trusted Capital Group (TCG) Retirement Resolution	134
I. Consideration and Possible Action to Appoint the Bee County Tax Assessor-Collector and/or Interim Bee County Tax Assessor-Collector to perform the 2020 Effective Tax Rate and Roll Back Rate Calculations	137
J. Consideration and Possible Action for Approval to issue Contracts for Employees for the 2020-2021 Academic Year	139
7. EXECUTIVE SESSION	
A. Consultation with Legal Counsel Regarding all Matters Allowed by Law, Including Pending Litigation in the Matter of Sid Arismendez v. Coastal Bend College, et al., Cause No. 2:19-cv-00312, in the United States District Court for the Southern District of Texas, Corpus Christi Division	
B. Consultation with Legal Counsel Regarding all Matters Allowed by Law, Including Pending Litigation in the Matter of Yuriana Briceno-Belmontes v. Coastal Bend College, et al., Cause No. 2:20-cv-00114, in the United States District Court for the Southern District of Texas, Corpus Christi Division	
C. Deliberate the Employment, Evaluation, and Duties of a Public Officer or Employee, Including the College President, and Obtain Legal Advice Regarding the Same	
D. Obtain Legal Advice Regarding the Memorandum of Understanding Between the College and the Coastal Bend College Foundation	
8. CONSIDERATION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION	
9. ADJOURNMENT	

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E or Government Code Section 418.183(f). Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All votes, actions, or decisions will be taken in open meeting. [See BDA (Legal)]

This notice was posted in compliance with Texas Open Meetings Act at Coastal Bend College, Robert J. Beasley, Jr. Administration Building, 3800 Charco Rd, Beeville, TX 78102 on .


 Anna Garcia, Recording Secretary
 Coastal Bend College Board of Trustees



**THE BOARD OF TRUSTEES
COASTAL BEND COLLEGE
WORKSHOP**

**COASTAL BEND COLLEGE
ROBERT J. BEASLEY, JR. ADMINISTRATION
BUILDING SANDY DIRKS BOARD ROOM
3800 CHARCO ROAD
BEEVILLE, TX 78102
APRIL 14, 2020**

The Workshop of the Board of Trustees of Coastal Bend College was held Tuesday, April 14, 2020 at 5:30 PM in the Robert J. Beasley, Jr. Administration Building, Sandy Dirks Board Room, 3800 Charco Road, Beeville, TX 78102.

Trustees and Visitors Present

Board of Trustees Present: Mr. Carroll W. Lohse, Chairman
Mr. Jeff Massengill, Vice Chairman
Mr. Victor Gomez, Secretary
Mrs. Dela Castillo, Trustee
Mr. Taylor Tomlin, Trustee
Mrs. Martha Warner, Trustee (Lifesize)
Mr. William B. Whitworth, Trustee

Board of Trustees Absent:

Administrators Present: Dr. Justin Hoggard, President

Staff and Visitors Present: Lists available in the President's office

Chairman Lohse called the Workshop to order at 5:30 PM and declared a quorum of the Board present.

1. MEMBERS AND VISITORS PRESENT

2. OPEN SESSION

A. FY 2020-2021 Budget Workshop

Dr. Hoggard discussed the budget and COVID-19. He presented a look at plans going forward such improving online learning, tools to assist with predictive analytics, and cost savings methods.

Chairman Lohse announced that the Board would convene into closed session at 7:13PM.

3. CLOSED SESSION

A. Deliberate the employment, evaluation, and duties of a public officer or employee, including the College President, and obtain legal advice regarding the same.

Chairman Lohse announced that the Board would reconvene into open session at 9:07PM.

4. ADJOURNMENT

With no further business Chairman Lohse declared the meeting adjourned at 9:08PM.

Carroll W. Lohse, Chairman

Victor Gomez, Secretary





**THE BOARD OF TRUSTEES
COASTAL BEND COLLEGE
REGULAR MEETING**

**COASTAL BEND COLLEGE
ROBERT J. BEASLEY, JR. ADMINISTRATION
BUILDING SANDY DIRKS BOARD ROOM
3800 CHARCO ROAD
BEEVILLE, TX 78102
APRIL 21, 2020**

The Regular Meeting of the Board of Trustees of Coastal Bend College was held Tuesday, April 21, 2020 at 5:30 PM in the Robert J. Beasley, Jr. Administration Building, Sandy Dirks Board Room, 3800 Charco Road, Beeville, TX 78102.

Trustees and Visitors Present

Board of Trustees Present: Mr. Carroll W. Lohse, Chairman
Mr. Jeff Massengill, Vice Chairman
Mr. Victor Gomez, Secretary
Mrs. Dela Castillo, Trustee
Mr. Taylor Tomlin, Trustee
Mrs. Martha Warner, Trustee
Mr. William B. Whitworth, Trustee

Board of Trustees Absent:

Administrators Present: Dr. Justin Hoggard, President

Staff and Visitors Present: Lists available in the President's office

Chairman Lohse called the Regular Meeting to order at 5:32 PM and declared a quorum of the Board present.

1. **INVOCATION**

Chairman Lohse gave the Invocation.

2. **MEMBERS AND VISITORS PRESENT**

None

3. **PUBLIC COMMENTS**

None

A. PUBLIC COMMENT ON AGENDA ITEMS: The Board of Trustees will hear public comment on agenda items at all open meetings in accordance with Texas Government Code Section 551.007

B. PUBLIC COMMENT ON NON-AGENDA ITEMS: In addition, the Board of Trustees will hear public comment on non-agenda items in accordance with Board Policy DBD (LOCAL)

4. **CONSENT AGENDA**

A. Consideration and Possible Action to Approve the February 18, 2020 Regular Board Meeting Minutes

B. Consideration and Possible Action to Approve the March 2, 2020 Special Board Meeting Minutes

C. Consideration and Possible Action to Approve the March 20, 2020 Special Board Meeting Minutes

D. Consideration and Possible Action to Approve the March 27, 2020 Special Board Meeting Minutes

The Board unanimously voted in favor to approve the consent agenda.

5. **NEW BUSINESS**

A. Consideration and Possible Action to Approve Monthly Financial Reports for March 2020 and 2nd Quarter Statement of Net Position (SNP)

Olga Mendez, Chief Financial Officer presented this information. Also provided to the Board was an update on the costs related to the cyber incident and COVID-19. Secretary Gomez moved, and Trustee Whitworth seconded to approve the Monthly Financial Reports for March 2020 and 2nd Quarter Statement of Net Position (SNP). Motion passed.

B. Consideration and Possible Action of Approval of Offer to Purchase Tax Sale Property

Trustee Whitworth moved, and Trustee Warner seconded to approve the Offer to Purchase Tax Sale Property. Motion passed.

C. Consideration and Possible Action to Approve Course Fees

Dr. DeAtley, Provost, spoke on this and the Dean Bleibdrey answered questions from the Board regarding equipment. Secretary Gomez moved, and Trustee Warner seconded to Approve Course Fees. Motion passed.

D. Consideration and Possible Action on Approval of a Fee Not to Exceed \$150 for Students Who Wish to Purchase Digital Learning Materials

Dr. DeAtley explained that students would have access to the materials day one of class. She also said students would still have the option to opt out of this fee if they wish. Trustee Massengill moved, and Secretary Gomez seconded the Approval of a Fee Not to Exceed \$150 for Students Who Wish to Purchase Digital Learning Materials. Motion carried.

E. Consideration and Possible Action to Approve a Four-Day Work Week

It was decided to start this June first due to students still being on campus and needing to service their needs. Trustee Massengill moved, and Trustee Castillo seconded to approve a Four-Day Work Week to begin in June and last through July. Motion passed.

F. Consideration and Possible Action to Approve Revisions to BE (LOCAL)

Secretary Gomez moved, and Trustee Massengill seconded to Approve Revisions to BE (LOCAL). Motion passed.

I. (Chairman Lohse moved this item up on the agenda).
Consideration and Possible Action to Approve Revisions to Board Policy DEA (LOCAL)

Approving DEA (LOCAL) helps the College qualify for reimbursement from FEMA in the event of another disaster. Trustee Massengill moved, and Trustee Warner seconded to approve DEA (LOCAL) as revised. Motion passed.

G. Consideration and Possible Action to Approve Texas Association of School Boards (TASB) Local Policy Update 37

H. Consideration and Possible Action to Approve Revisions to Board Policy CHA (LOCAL)

J. Consideration and Possible Action to Approve Revisions to Board Policy GB (LOCAL)

After discussion, Trustee Whitworth moved, and Secretary Gomez seconded to commit items 5G, 5H, and 5J to the policy committee. Motion passed.

K. Consideration and Possible Action to Adopt the College President's Evaluation Instrument

The metrics were briefly discussed and additions were also talked about. It was decided to table this agenda item for review and discussion at a future meeting.

6. **REPORTS**

A. 2nd Quarter Public Funds Investment Act (PFIA) Report for year 2019-2020 and General Financial Status

Olga Mendez discussed this item and briefed the Board on the status.

B. President's Report

Dr. Hoggard discussed Institutional Effectiveness projects being worked on, and discussed the ways CBC has been in contact with students during the pandemic by using wellness checks. He also spoke about having a virtual graduation and putting graduate's photos on the CBC marquee for recognition. CBC is also working on the CARES Act funding distribution.

Chairman Lohse announced that the Board would convene into closed session at 7:55PM.

7. **EXECUTIVE SESSION**

Chairman Lohse announced that the Board would reconvene into open session at 9:51PM.

A. Contracts for Employment/ Stipends

B. Deliberate the employment, evaluation, and duties of a public officer or employee, including the College President, and obtain legal advice regarding the same

C. Consultation with legal counsel regarding all matters allowed by law, including pending litigation in the matter of Sid Arismendez v. Coastal Bend College, et al., Cause No. 2:19-cv-00312, in the United States District Court for the Southern District of Texas, Corpus Christi Division

8. **CONSIDERATION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

9. **ADJOURNMENT**

With no further business Chairman Lohse declared the meeting adjourned at 9:52 PM.

Carroll W. Lohse, Chairman

Victor Gomez, Secretary





**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 5A

AGENDA TOPIC: President's Report

ATTACHMENT: President's Report

Policy BFD (LOCAL) – College President, Evaluation

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS: Bi-Monthly Report to Board.

RECOMMENDED ACTION: For Information.



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 5B

AGENDA TOPIC: 3rd Quarter Investment Report as Required by Public Funds Investment Act (PFIA)

ATTACHMENT: 1.) Investment Report for 3rd Quarter Ending May 31, 2020

Policy Policy CAK (LOCAL): Appropriations and Revenue Sources, Investments

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS: The Public Funds Investment Act requires the College Investment Officer to prepare and submit a written report of investment transactions for all funds covered by the legislation to the Board of Trustees. This Investment Report contains information related to official College investments only.

RECOMMENDED ACTION: Information Item Only.

COASTAL BEND COLLEGE

as of 05/31/2020

Reporting requirements per the Public Funds Investment Act (PFIA)

1) Investment Position as of 05-31-2020 **\$7,297,562.84**

2) Prepared by: James R. Eller
Senior Vice President & Investment Officer
Wells Fargo Advisors

3) Signed by: 
Olga Mendez
Chief Financial Officer
Coastal Bend College

4) Summary Statement Schedule Presented

5) FIXED INCOME SECURITIES

Face Value	6,346,000.00
Book Value	6,413,105.69
Market Value (not including accrued interest)	\$6,552,600.45

6) Maturity Dates As per schedules

7) CASH/MONEY MARKET BALANCES

Texas Class Investment Pool	572,387.60
TexPool Local Government Investment Pool	1,193.97
Prosperity Bank money market	117,160.19
Wells Fargo Standard Bank Deposit	54,220.63
<u>Total cash & money market balances</u>	\$744,962.39

8) Maturity Dates As per schedules

9) Account or Fund As per schedules

10) State the compliance as per policy or
as it relates to strategy Safety & Liquidity

This report is not the official record of your account. However, it has been prepared to assist you with your investment planning and is for informational purposes only. Your Wells Fargo Advisors Client Statement is the official record of your account. Therefore, if there are any discrepancies between this report and your Client Statement, you should rely on the Client Statement and call your local Sales Location Manager with any questions. Cost data and acquisition dates provided by you are not verified by Wells Fargo Advisors. Transactions requiring tax consideration should be reviewed carefully with your accountant or tax advisor. Unless otherwise indicated, market prices/values are the most recent closing prices available at the time of this report, and are subject to change. Prices may not reflect the value at which securities could be sold. Past performance does not guarantee future results.



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 5C

AGENDA TOPIC: Coastal Bend College Police Department Annual Racial Profiling Report

ATTACHMENT:

Policy _____

Law or Rule - Article 2.134 Texas Code of Criminal Procedure

Report(s)/Information – RACIAL PROFILING REPORT

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS: State required report to Board of submission of the CBCPD Annual Racial Profiling Report

RECOMMENDED ACTION: None, informational only.



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 6A

AGENDA TOPIC: Consideration and Possible Action to Approve Monthly Financial Reports for May 2020 and 3rd Quarter Statement of Net Position (SNP)

ATTACHMENT: (1) FY2020 April and May Monthly Budget Reports
(2) FY 2020 3rd Quarter Statement of Net Position (SNP)

Policy _____

Law or Rule CDA (LOCAL): Accounting: Financial Reports and Statements

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS:

State appropriations for FY2020

Core operations	\$ 680,406
Contact Hour Funding*	\$ 4,934,383
Student Success	\$ 730,655
Hold Harmless	\$ 459,383
<u>Total</u>	<u>\$6,804,827</u>

Payments are made by the State to CBC over 10 pay periods. The following amount apply for FY2020:

September 2019	\$816,785	Received
October 2019	\$816,789	Received
November 2019	\$646,625	Received
December 2019	\$646,625	Received
January 2020	\$ 0	No Payment Scheduled
February 2020	\$ 0	No Payment Scheduled\$ 0
March 2020	\$646,625	Received
April 2020	\$646,625	Received
May 2020	\$646,625	Received
June 2020	\$646,625	
July 2020	\$646,625	
August 2020	\$646,625	

Total Received \$ 4,866,699

RECOMMENDED ACTION:

Recommend approval of monthly financial reports for April 2020, May 2020 and the 3rd Quarter Statement of Net Position.

Coastal Bend College
Budget to Actual
As of April 30, 2020
 (Compared to April 30, 2019)

10	Funds	YTD Encumbrances	MTD Actual	Apr FY20 YTD Actual	YTD Budget	Available	% Available	Apr FY19 YTD Actual
Revenues								
	Ad Valorem Taxes	\$ -	\$ (28,188)	\$ (3,022,900)	\$ (3,162,950)	\$ (140,050)	4%	\$ (3,053,612)
	Facilities Rental	\$ -	\$ (23,902)	\$ (117,796)	\$ (182,150)	\$ (64,354)	35%	\$ (110,918)
	Indirect Costs	\$ -	\$ (11,697)	\$ (53,558)	\$ (110,000)	\$ (56,442)	51%	\$ (77,266)
	Institutional Support	\$ -	\$ -	\$ (1,530)	\$ (40,000)	\$ (38,470)	96%	\$ (1,545)
	Interest Income	\$ -	\$ (2,023)	\$ (11,390)	\$ (11,000)	\$ 390	-4%	\$ (8,961)
	Miscellaneous Income	\$ -	\$ (350)	\$ (2,337)	\$ (36,690)	\$ (34,353)	94%	\$ (11,352)
	Operations & Maintenance	\$ -	\$ -	\$ (50,000)	\$ -	\$ 50,000	0%	\$ -
	Public Service	\$ -	\$ -	\$ -	\$ (30,000)	\$ (30,000)	100%	\$ -
	State Appropriations	\$ -	\$ (646,625)	\$ (4,220,074)	\$ (6,803,939)	\$ (2,583,865)	38%	\$ (4,442,118)
	Student Services	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -
	Tuition & Fees	\$ -	\$ (267,928)	\$ (7,069,738)	\$ (10,954,559)	\$ (3,884,821)	35%	\$ (8,934,816)
	Revenues Total	\$ -	\$ (980,713)	\$ (14,549,323)	\$ (21,331,288)	\$ (6,781,965)		\$ (16,640,588)
Operating Expenses								
	Academic Support	\$ 11,304	\$ 1,280	\$ 67,578	\$ 113,225	\$ 34,343	30%	\$ 57,284
	Institutional Support	\$ 402,623	\$ 107,485	\$ 2,169,704	\$ 4,821,657	\$ 2,249,329	47%	\$ 2,779,029
	Instruction	\$ 30,576	\$ 106,468	\$ 484,356	\$ 861,803	\$ 346,871	40%	\$ 617,141
	Operations & Maintenance	\$ 113,357	\$ 69,507	\$ 389,377	\$ 623,370	\$ 120,636	19%	\$ 351,798
	Public Service	\$ -	\$ -	\$ 2,384	\$ 14,800	\$ 12,416	84%	\$ 2,474
	Student Services	\$ 9,776	\$ 4,215	\$ 67,351	\$ 159,640	\$ 82,513	52%	\$ 86,695
	Operating Expenses Total	\$ 567,637	\$ 288,955	\$ 3,180,751	\$ 6,594,494	\$ 2,846,107		\$ 3,894,421
Salary Expenses								
	Academic Support	\$ -	\$ 33,700	\$ 281,487	\$ 429,555	\$ 148,068	34%	\$ 260,060
	Institutional Support	\$ 3,986	\$ 325,209	\$ 1,819,692	\$ 4,228,274	\$ 2,404,597	57%	\$ 1,701,698
	Instruction	\$ -	\$ 507,997	\$ 3,992,602	\$ 4,920,974	\$ 928,371	19%	\$ 3,976,163
	Operations & Maintenance	\$ -	\$ 105,050	\$ 933,076	\$ 1,089,908	\$ 156,832	14%	\$ 834,814
	Public Service	\$ -	\$ -	\$ 18,825	\$ 39,280	\$ 20,455	52%	\$ 4,300
	Student Services	\$ -	\$ 85,332	\$ 670,828	\$ 831,210	\$ 160,382	19%	\$ 665,029
	Salary Expenses Total	\$ 3,986	\$ 1,057,288	\$ 7,716,510	\$ 11,539,201	\$ 3,818,704		\$ 7,442,064

Coastal Bend College
Budget to Actual
As of April 30, 2020
(Compared to April 30, 2019)

Funds	YTD Encumbrances	MTD Actual	Apr FY20 YTD Actual	YTD Budget	Available	% Available	Apr FY19 YTD Actual
16							
Revenues							
Bookstore Commissions	\$ -	\$ -	\$ (90,261)	\$ (90,000)	\$ 261	0%	\$ (80,155)
Campus Housing	\$ -	\$ 38,238	\$ (304,182)	\$ (769,500)	\$ (465,318)	60%	\$ (542,114)
Child Care Center	\$ -	\$ (5,911)	\$ (87,534)	\$ (135,000)	\$ (47,466)	35%	\$ (104,875)
Miscellaneous Income	\$ -	\$ -	\$ (1,032)	\$ (7,500)	\$ (6,468)	86%	\$ (150)
Student Services	\$ -	\$ (3,263)	\$ (60,636)	\$ (111,525)	\$ (50,889)	46%	\$ (61,351)
Revenues Total	\$ -	\$ 29,065	\$ (543,645)	\$ (1,113,525)	\$ (569,880)		\$ (788,645)
Operating Expenses							
Campus Housing	\$ 16,462	\$ 18,423	\$ 346,751	\$ 466,300	\$ 103,086	22%	\$ 323,064
Child Care Center	\$ 2,830	\$ 583	\$ 3,577	\$ 15,375	\$ 8,968	58%	\$ 4,006
Student Services	\$ 21,474	\$ 22,009	\$ 226,681	\$ 394,110	\$ 145,955	37%	\$ 289,123
Operating Expenses Total	\$ 40,767	\$ 41,015	\$ 577,009	\$ 875,785	\$ 258,009		\$ 616,193
Salary Expenses							
Child Care Center	\$ -	\$ 21,731	\$ 181,783	\$ 203,460	\$ 21,677	11%	\$ 176,654
Student Services	\$ -	\$ 63,584	\$ 542,983	\$ 660,123	\$ 117,139	18%	\$ 343,258
Salary Expenses Total	\$ -	\$ 85,315	\$ 724,767	\$ 863,583	\$ 138,816		\$ 519,912
20							
Revenues							
Institutional Awards	\$ -	\$ -	\$ (171,781)	\$ (200,000)	\$ (28,219)	14%	\$ (79,893)
Student Aid Pass Thru	\$ -	\$ 2,645,876	\$ (9,002,879)	\$ -	\$ 9,002,879	0%	\$ (8,712,636)
Revenues Total	\$ -	\$ 2,645,876	\$ (9,174,660)	\$ (200,000)	\$ 8,974,660		\$ (8,792,529)
Operating Expenses							
Institutional Awards	\$ -	\$ -	\$ 693,034	\$ 846,600	\$ 153,566	18%	\$ 517,359
Student Aid Pass Thru	\$ -	\$ 5,563	\$ 8,989,212	\$ -	\$ (8,989,212)	0%	\$ 8,624,405
Operating Expenses Total	\$ -	\$ 5,563	\$ 9,682,246	\$ 846,600	\$ (8,835,646)		\$ 9,141,764
24							
Revenues							
Interest Income	\$ -	\$ (262)	\$ (1,067)	\$ (1,000)	\$ 67	-7%	\$ (745)
Revenues Total	\$ -	\$ (262)	\$ (1,067)	\$ (1,000)	\$ 67		\$ (745)
Operating Expenses							
Debt Service	\$ -	\$ -	\$ 296,476	\$ 830,800	\$ 534,324	64%	\$ 114,312
Operating Expenses Total	\$ -	\$ -	\$ 296,476	\$ 830,800	\$ 534,324		\$ 114,312

Coastal Bend College
Budget to Actual
As of April 30, 2020
(Compared to April 30, 2019)

Funds	YTD Encumbrances	MTD Actual	Apr FY20 YTD Actual	YTD Budget	Available	% Available	Apr FY19 YTD Actual
Revenues							
2017 ATX CRSM Grant	\$ -	\$ -	\$ (66,000)	\$ -	\$ 66,000	0%	\$ -
Carl D. Perkins	\$ -	\$ (28,332)	\$ (170,771)	\$ (339,716)	\$ (168,945)	50%	\$ (513,214)
Educational Talent Search-Alice	\$ -	\$ (35,811)	\$ (140,794)	\$ (330,170)	\$ (189,376)	57%	\$ (176,875)
Educational Talent Search-Beeville	\$ -	\$ (41,736)	\$ (200,391)	\$ (359,650)	\$ (159,259)	44%	\$ (197,859)
ETS-STEM	\$ -	\$ (17,066)	\$ (17,066)	\$ (73,830)	\$ (56,764)	77%	\$ -
FEMA Hurricane Harvey	\$ -	\$ (1,498)	\$ (1,498)	\$ -	\$ 1,498	0%	\$ (19,005)
NSRP	\$ -	\$ -	\$ (18,000)	\$ (115,462)	\$ (97,462)	84%	\$ -
Upward Bound	\$ -	\$ (37,550)	\$ (152,582)	\$ (439,931)	\$ (287,349)	65%	\$ (156,093)
Upward Bound Rural	\$ -	\$ (43,463)	\$ (117,432)	\$ (287,537)	\$ (170,105)	59%	\$ (142,270)
Work Study	\$ -	\$ (21,786)	\$ (104,699)	\$ -	\$ 104,699	0%	\$ (86,129)
Revenues Total	\$ -	\$ (227,241)	\$ (989,232)	\$ (1,946,296)	\$ (957,064)		\$ (1,291,446)
Operating Expenses							
2017 ATX CRSM Grant	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -
Carl D. Perkins	\$ 13,681	\$ 2,652	\$ 160,205	\$ 307,005	\$ 133,119	43%	\$ 603,021
Educational Talent Search-Alice	\$ 4,084	\$ 8,996	\$ 52,488	\$ 136,962	\$ 80,390	59%	\$ 61,682
Educational Talent Search-Beeville	\$ 5,607	\$ 6,962	\$ 60,665	\$ 117,786	\$ 51,514	44%	\$ 48,729
ETS-STEM	\$ -	\$ 21,522	\$ 21,522	\$ 73,830	\$ 52,308	71%	\$ -
FEMA Hurricane Harvey	\$ (10,800)	\$ -	\$ -	\$ -	\$ 10,800	0%	\$ 15,042
NSRP	\$ 5,619	\$ 46,300	\$ 64,300	\$ 115,462	\$ 45,543	39%	\$ -
Upward Bound	\$ 14,101	\$ 3,588	\$ 44,100	\$ 226,172	\$ 167,972	74%	\$ 43,592
Upward Bound Rural	\$ 11,707	\$ 3,173	\$ 26,567	\$ 99,058	\$ 60,785	61%	\$ 41,045
Operating Expenses Total	\$ 43,998	\$ 93,192	\$ 429,846	\$ 1,076,275	\$ 602,431		\$ 813,111
Salary Expenses							
2017 ATX CRSM Grant	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 3,368
Carl D. Perkins	\$ -	\$ 3,148	\$ 11,283	\$ 32,711	\$ 21,428	66%	\$ 61,471
Educational Talent Search-Alice	\$ -	\$ 12,529	\$ 91,354	\$ 193,208	\$ 101,854	53%	\$ 121,529
Educational Talent Search-Beeville	\$ -	\$ 13,131	\$ 138,299	\$ 241,864	\$ 103,565	43%	\$ 153,149
FEMA Hurricane Harvey	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -
NSRP	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -
Upward Bound	\$ -	\$ 15,183	\$ 104,454	\$ 213,759	\$ 109,305	51%	\$ 119,005
Upward Bound Rural	\$ -	\$ 15,083	\$ 92,901	\$ 188,479	\$ 95,578	51%	\$ 102,771
Work Study	\$ -	\$ 18,299	\$ 101,617	\$ -	\$ (101,617)	0%	\$ 82,150
Salary Expenses Total	\$ -	\$ 77,373	\$ 539,907	\$ 870,021	\$ 330,114		\$ 643,444

Coastal Bend College
 Budget to Actual
 As of April 30, 2020
 (Compared to April 30, 2019)

Funds	YTD Encumbrances	MTD Actual	Apr FY20 YTD Actual	YTD Budget	Available	% Available	Apr FY19 YTD Actual
29							
Revenues							
Interest Income	\$ -	\$ (87)	\$ (387)	\$ (400)	\$ (13)	3%	\$ (60,281)
Revenues Total	\$ -	\$ (87)	\$ (387)	\$ (400)	\$ (13)		\$ (60,281)
Operating Expenses							
Unexpended Plant Funds- Capital Investment	\$ 17,500	\$ -	\$ 25,763	\$ 776,250	\$ 732,988	94%	\$ 5,175
Operating Expenses Total	\$ 17,500	\$ -	\$ 25,763	\$ 776,250	\$ 732,988		\$ 5,175
27							
Revenues							
ORP Retirement Match	\$ -	\$ (1,908)	\$ (33,921)	\$ -	\$ 33,921	0%	\$ (26,765)
Revenues Total	\$ -	\$ (1,908)	\$ (33,921)	\$ -	\$ 33,921		\$ (26,765)
Operating Expenses							
Institutional Support	\$ -	\$ -	\$ 3,141	\$ -	\$ (3,141)	0%	\$ -
Operating Expenses Total	\$ -	\$ -	\$ 3,141	\$ -	\$ (3,141)		\$ -
Salary Expenses							
Unalloc Staff Benefits	\$ -	\$ 234,364	\$ 570,842	\$ 331,500	\$ (239,342)	-72%	\$ 231,943
Salary Expenses Total	\$ -	\$ 234,364	\$ 570,842	\$ 331,500	\$ (239,342)		\$ 231,943
30							
Revenues							
Interest Income	\$ -	\$ (1,547)	\$ (126,289)	\$ (12,000)	\$ 114,289	-952%	\$ (139,134)
Revenues Total	\$ -	\$ (1,547)	\$ (126,289)	\$ (12,000)	\$ 114,289		\$ (139,134)

Coastal Bend College
Budget to Actual
As of May 31, 2020
(Compared to May 31, 2019)

Funds	YTD Encumbrances	MTD Actual	May FY20 YTD Actual	YTD Budget	Available	% Available	May FY19 YTD Actual
10							
Revenues							
Ad Valorem Taxes	\$ -	\$ (40,311)	\$ (3,063,211)	\$ (3,162,950)	\$ (99,739)	3%	\$ (3,085,781)
Facilities Rental	\$ -	\$ (13,517)	\$ (131,313)	\$ (182,150)	\$ (50,837)	28%	\$ (131,634)
Indirect Costs	\$ -	\$ (4,184)	\$ (57,742)	\$ (110,000)	\$ (52,258)	48%	\$ (89,076)
Institutional Support	\$ -	\$ (8,045)	\$ (9,575)	\$ (40,000)	\$ (30,425)	76%	\$ (8,940)
Interest Income	\$ -	\$ (2,216)	\$ (13,607)	\$ (11,000)	\$ 2,607	-24%	\$ (9,809)
Miscellaneous Income	\$ -	\$ (105)	\$ (2,442)	\$ (36,690)	\$ (34,248)	93%	\$ (11,352)
Operations & Maintenance	\$ -	\$ -	\$ (50,000)	\$ (50,000)	\$ -	0%	\$ -
Public Service	\$ -	\$ -	\$ -	\$ (30,000)	\$ (30,000)	100%	\$ -
State Appropriations	\$ -	\$ (646,625)	\$ (4,866,699)	\$ (6,803,939)	\$ (1,937,240)	28%	\$ (5,122,765)
Student Services	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -
Tuition & Fees	\$ -	\$ (820,718)	\$ (7,890,456)	\$ (10,954,559)	\$ (3,064,103)	28%	\$ (9,784,214)
Revenues Total	\$ -	\$ (1,555,722)	\$ (16,085,045)	\$ (21,381,288)	\$ (5,296,243)		\$ (18,243,572)
Operating Expenses							
Academic Support	\$ 21,724	\$ -	\$ 67,578	\$ 113,225	\$ 23,924	21%	\$ 76,548
Institutional Support	\$ 241,680	\$ 386,113	\$ 2,555,818	\$ 4,811,782	\$ 2,014,284	42%	\$ 3,002,327
Instruction	\$ 16,751	\$ 26,628	\$ 510,985	\$ 871,678	\$ 343,942	39%	\$ 654,726
Operations & Maintenance	\$ 107,766	\$ 18,794	\$ 408,171	\$ 672,370	\$ 156,433	23%	\$ 391,699
Public Service	\$ -	\$ -	\$ 2,384	\$ 14,800	\$ 12,416	84%	\$ 2,474
Student Services	\$ 9,484	\$ 4,792	\$ 72,143	\$ 160,640	\$ 79,013	49%	\$ 95,881
Operating Expenses Total	\$ 397,405	\$ 436,328	\$ 3,617,078	\$ 6,644,494	\$ 2,630,011		\$ 4,223,655
Salary Expenses							
Academic Support	\$ -	\$ 33,520	\$ 315,007	\$ 429,555	\$ 114,548	27%	\$ 287,595
Institutional Support	\$ 2,746	\$ 186,987	\$ 2,006,678	\$ 4,228,274	\$ 2,218,850	52%	\$ 1,900,167
Instruction	\$ -	\$ 500,289	\$ 4,492,892	\$ 4,920,974	\$ 428,082	9%	\$ 4,503,348
Operations & Maintenance	\$ -	\$ 106,226	\$ 1,039,303	\$ 1,089,908	\$ 50,606	5%	\$ 931,128
Public Service	\$ -	\$ -	\$ 18,825	\$ 39,280	\$ 20,455	52%	\$ 4,300
Student Services	\$ -	\$ 85,131	\$ 755,959	\$ 831,210	\$ 75,251	9%	\$ 738,554
Salary Expenses Total	\$ 2,746	\$ 912,153	\$ 8,628,663	\$ 11,539,201	\$ 2,907,791		\$ 8,365,091

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Coastal Bend College
 Budget to Actual
 As of May 31, 2020
 (Compared to May 31, 2019)

16	Funds	YTD Encumbrances	MTD Actual	May FY20 YTD Actual	YTD Budget	Available	% Available	May FY19 YTD Actual
Revenues								
	Bookstore Commissions	\$ -	\$ -	\$ (90,261)	\$ (90,000)	\$ 261	0%	\$ (80,155)
	Campus Housing	\$ -	\$ (7,083)	\$ (311,265)	\$ (769,500)	\$ (458,235)	60%	\$ (547,874)
	Child Care Center	\$ -	\$ (10,981)	\$ (98,516)	\$ (135,000)	\$ (36,484)	27%	\$ (120,771)
	Miscellaneous Income	\$ -	\$ (0)	\$ (1,033)	\$ (7,500)	\$ (6,467)	86%	\$ (150)
	Student Services	\$ -	\$ (6,417)	\$ (67,053)	\$ (111,525)	\$ (44,472)	40%	\$ (68,501)
	Revenues Total	\$ -	\$ (24,482)	\$ (568,127)	\$ (1,113,525)	\$ (545,398)		\$ (817,451)
Operating Expenses								
	Campus Housing	\$ 16,955	\$ 9,268	\$ 356,019	\$ 466,300	\$ 93,326	20%	\$ 384,428
	Child Care Center	\$ 2,830	\$ 153	\$ 3,730	\$ 15,375	\$ 8,815	57%	\$ 5,048
	Student Services	\$ 817	\$ 5,921	\$ 232,602	\$ 394,110	\$ 160,691	41%	\$ 310,715
	Operating Expenses Total	\$ 20,602	\$ 15,341	\$ 592,350	\$ 875,785	\$ 262,832		\$ 700,191
Salary Expenses								
	Child Care Center	\$ -	\$ 21,147	\$ 202,930	\$ 203,460	\$ 530	0%	\$ 198,141
	Student Services	\$ -	\$ 63,481	\$ 606,464	\$ 660,123	\$ 53,658	8%	\$ 386,533
	Salary Expenses Total	\$ -	\$ 84,628	\$ 809,394	\$ 863,583	\$ 54,189		\$ 584,674
20	Revenues							
	Institutional Awards	\$ -	\$ -	\$ (171,781)	\$ (200,000)	\$ (28,219)	14%	\$ (79,893)
	Student Aid Pass Thru	\$ -	\$ (3,558)	\$ (9,006,437)	\$ -	\$ 9,006,437	0%	\$ (8,714,863)
	Revenues Total	\$ -	\$ (3,558)	\$ (9,178,218)	\$ (200,000)	\$ 8,978,218		\$ (8,794,756)
Operating Expenses								
	Institutional Awards	\$ -	\$ 237	\$ 693,271	\$ 846,600	\$ 153,329	18%	\$ 526,040
	Student Aid Pass Thru	\$ -	\$ 3,558	\$ 8,992,770	\$ -	\$ (8,992,770)	0%	\$ 8,626,996
	Operating Expenses Total	\$ -	\$ 3,795	\$ 9,686,041	\$ 846,600	\$ (8,839,441)		\$ 9,153,036
24	Revenues							
	Interest Income	\$ -	\$ -	\$ (1,067)	\$ (1,000)	\$ 67	-7%	\$ (835)
	Revenues Total	\$ -	\$ -	\$ (1,067)	\$ (1,000)	\$ 67		\$ (835)
Operating Expenses								
	Debt Service	\$ -	\$ (271)	\$ 296,205	\$ 830,800	\$ 534,595	64%	\$ 114,312
	Operating Expenses Total	\$ -	\$ (271)	\$ 296,205	\$ 830,800	\$ 534,595		\$ 114,312

Coastal Bend College
Budget to Actual
As of May 31, 2020
(Compared to May 31, 2019)

26	Funds	YTD Encumbrances	MTD Actual	May FY20 YTD Actual	YTD Budget	Available	% Available	May FY19 YTD Actual
Revenues								
	2017 ATX CRSM Grant	\$ -	\$ -	\$ (66,000)	\$ -	\$ 66,000	0%	\$ -
	Cares Act/COVID 19	\$ -	\$ (330,800)	\$ (330,800)	\$ -	\$ 330,800	0%	\$ -
	Carl D. Perkins	\$ -	\$ -	\$ (170,771)	\$ (339,716)	\$ (168,945)	50%	\$ (575,783)
	Educational Talent Search-Alice	\$ -	\$ (18,502)	\$ (159,296)	\$ (330,170)	\$ (170,874)	52%	\$ (206,459)
	Educational Talent Search-Beeville	\$ -	\$ (4,456)	\$ (204,847)	\$ (359,650)	\$ (154,803)	43%	\$ (221,366)
	ETS-STEM	\$ -	\$ (13,070)	\$ (30,136)	\$ (73,830)	\$ (43,694)	59%	\$ -
	FEMA Hurricane Harvey	\$ -	\$ -	\$ (1,498)	\$ -	\$ 1,498	0%	\$ (19,005)
	NSRP	\$ -	\$ (46,300)	\$ (64,300)	\$ (115,462)	\$ (51,162)	44%	\$ -
	TX Emergency Aid Grant	\$ -	\$ (10,000)	\$ (10,000)	\$ -	\$ 10,000	0%	\$ -
	Upward Bound	\$ -	\$ (7,381)	\$ (159,963)	\$ (439,931)	\$ (279,968)	64%	\$ (178,274)
	Upward Bound Rural	\$ -	\$ (12,762)	\$ (130,194)	\$ (287,537)	\$ (157,343)	55%	\$ (155,666)
	Work Study	\$ -	\$ (13,036)	\$ (117,735)	\$ -	\$ 117,735	0%	\$ (97,814)
	Revenues Total	\$ -	\$ (456,307)	\$ (1,445,539)	\$ (1,946,296)	\$ (500,757)		\$ (1,454,368)
Operating Expenses								
22	2017 ATX CRSM Grant	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -
	Cares Act/COVID 19	\$ -	\$ 330,800	\$ 330,800	\$ -	\$ (330,800)	0%	\$ -
	Carl D. Perkins	\$ 23,920	\$ 832	\$ 161,037	\$ 307,005	\$ 122,049	40%	\$ 611,653
	Educational Talent Search-Alice	\$ 7,210	\$ 2,276	\$ 54,764	\$ 141,662	\$ 79,688	56%	\$ 73,925
	Educational Talent Search-Beeville	\$ 10,349	\$ 2,531	\$ 63,196	\$ 117,786	\$ 44,241	38%	\$ 52,370
	ETS-STEM	\$ 19,722	\$ -	\$ 21,522	\$ 73,830	\$ 32,587	44%	\$ -
	FEMA Hurricane Harvey	\$ (10,800)	\$ -	\$ -	\$ -	\$ 10,800	0%	\$ 15,042
	NSRP	\$ 5,619	\$ -	\$ 64,300	\$ 115,462	\$ 45,543	39%	\$ -
	Upward Bound	\$ 14,602	\$ 2,561	\$ 46,661	\$ 226,172	\$ 164,910	73%	\$ 62,346
	Upward Bound Rural	\$ 12,088	\$ 2,369	\$ 28,935	\$ 99,058	\$ 58,035	59%	\$ 51,513
	Operating Expenses Total	\$ 82,709	\$ 341,368	\$ 771,214	\$ 1,080,975	\$ 227,052		\$ 866,848
Salary Expenses								
	2017 ATX CRSM Grant	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 3,368
	Carl D. Perkins	\$ -	\$ 3,148	\$ 14,431	\$ 32,711	\$ 18,280	56%	\$ 68,665
	Educational Talent Search-Alice	\$ -	\$ 12,442	\$ 103,796	\$ 188,508	\$ 84,712	45%	\$ 138,097
	Educational Talent Search-Beeville	\$ -	\$ 13,131	\$ 151,430	\$ 241,864	\$ 90,434	37%	\$ 171,375
	FEMA Hurricane Harvey	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -
	NSRP	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -
	Upward Bound	\$ -	\$ 10,065	\$ 114,519	\$ 213,759	\$ 99,240	46%	\$ 133,970
	Upward Bound Rural	\$ -	\$ 9,648	\$ 102,549	\$ 188,479	\$ 85,930	46%	\$ 114,315
	Work Study	\$ -	\$ 15,559	\$ 117,175	\$ -	\$ (117,175)	0%	\$ 96,505
	Salary Expenses Total	\$ -	\$ 63,993	\$ 603,900	\$ 865,321	\$ 261,421		\$ 726,295

Coastal Bend College
 Budget to Actual
 As of May 31, 2020
 (Compared to May 31, 2019)

Funds	YTD Encumbrances	MTD Actual	May FY20 YTD Actual	YTD Budget	Available	% Available	May FY19 YTD Actual
29							
Revenues							
Interest Income	\$ -	\$ (90)	\$ (477)	\$ (400)	\$ 77	-19%	\$ (60,317)
Revenues Total	\$ -	\$ (90)	\$ (477)	\$ (400)	\$ 77		\$ (60,317)
Operating Expenses							
Unexpended Plant Funds- Capital Investment	\$ 15,308	\$ -	\$ 25,763	\$ 776,250	\$ 735,180	95%	\$ 5,175
Operating Expenses Total	\$ 15,308	\$ -	\$ 25,763	\$ 776,250	\$ 735,180		\$ 5,175
27							
Revenues							
ORP Retirement Match	\$ -	\$ (3,844)	\$ (37,764)	\$ -	\$ 37,764	0%	\$ (30,192)
Revenues Total	\$ -	\$ (3,844)	\$ (37,764)	\$ -	\$ 37,764		\$ (30,192)
Operating Expenses							
Institutional Support	\$ -	\$ -	\$ 3,141	\$ -	\$ (3,141)	0%	\$ -
Operating Expenses Total	\$ -	\$ -	\$ 3,141	\$ -	\$ (3,141)		\$ -
Salary Expenses							
Unalloc Staff Benefits	\$ -	\$ 136,933	\$ 707,775	\$ 331,500	\$ (376,275)	-114%	\$ 255,824
Salary Expenses Total	\$ -	\$ 136,933	\$ 707,775	\$ 331,500	\$ (376,275)		\$ 255,824
28							
Operating Expenses							
Operating Expenses Total	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
30							
Revenues							
Interest Income	\$ -	\$ (10,738)	\$ (137,027)	\$ (12,000)	\$ 125,027	-1042%	\$ (212,125)
Revenues Total	\$ -	\$ (10,738)	\$ (137,027)	\$ (12,000)	\$ 125,027		\$ (212,125)

Coastal Bend College
Statement of Net Position
3Q FY20 - Ending May 31, 2020
(Compared to FY19 - Ending August 31, 2019)

	UNAUDITED	AUDITED
	May 31	2019
ASSETS		
Current Assets		
Cash & cash equivalents	3,793,610	2,504,893
Accounts receivable (net)	1,839,326	5,722,072
Prepaid Expenses	149,658	-
Total Current Assets	5,782,594	8,226,965
Non-Current Assets		
Restricted cash & cash equivalents	572,388	565,766
Investments	6,519,248	6,387,946
Capital Assets (net)	16,719,685	16,719,685
Total Non-current Assets	23,811,321	23,673,396
Total Assets	29,593,914	31,900,361
 DEFERRED OUTFLOWS		
Deferred outflows related to pensions	2,356,714	2,356,714
Deferred outflows related to benefits (OPEB)	655,513	655,513
Total Deferred Outflows	3,012,227	3,012,227
 Total Assets & Deferred Outflows	32,606,141	34,912,588
 LIABILITIES		
Current Liabilities		
Accounts payable	1,000,647	2,045,693
Funds held for others	466,616	455,356
Unearned revenue	1,676,892	4,867,833
Notes payable - current portion	721,065	721,065
Bonds payable - current portion	401,000	401,000
Total Current Liabilities	4,266,220	8,490,947
Non-Current Liabilities		
Accrued compensable absences	645,190	645,190
Notes payable - long term portion	2,454,000	2,454,000
Bonds payable - long term portion	1,299,000	1,299,000
Net pension liability	5,341,411	5,341,411
Net OPEB Liability	16,639,406	16,639,406
Total Noncurrent Liabilities	26,379,007	26,379,007
Total Liabilities	30,645,227	34,869,954
 Deferred Inflows of Resources		
Deferred inflows related to pensions	1,157,026	1,157,026
Deferred inflows related to ERS	9,497,262	9,497,262
Total Deferred Inflows of Resources	10,654,288	10,654,288
 Total Liabilities and Deferred Inflows	41,299,515	45,524,242
 NET POSITION		
Beginning Net Assets	(10,611,653)	(10,611,653)
Change in Net Assets YTD (Increase) Deficit	1,918,280	(1)
Total Net Assets	(8,693,374)	(10,611,654)
 Total Liabilities and Net Assets	32,606,141	34,912,588



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 6B

AGENDA TOPIC: Consideration and Possible Action to Approve Texas Association of School Boards (TASB) Local Policy Update 37 as Recommended by the College President

ATTACHMENT: TASB Policy Update 37

Policy BE (LEGAL) (LOCAL) Policy and Bylaw Development

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS:

The College District contracts TASB for development of legal policies, recommendation on local policies, and online management of all CBC Board policies. Attached is a list of the recommendations on local policy updates, revised, deleted in TASB Update 37. All policies presented have been recommended by TASB and administration for the respective changes.

BBF(LOCAL): BOARD MEMBERS - ETHICS

BBI(LOCAL): BOARD MEMBERS - TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

BD(LOCAL): BOARD MEETINGS

BDB(LOCAL): BOARD MEETINGS - PUBLIC PARTICIPATION

CAK(LOCAL): APPROPRIATIONS AND REVENUE SOURCES - INVESTMENTS

CF(LOCAL): PURCHASING AND ACQUISITION

CGC(LOCAL): SAFETY PROGRAM - EMERGENCY PLANS AND ALERTS

CHF(LOCAL): SITE MANAGEMENT - WEAPONS

CIA(LOCAL): EQUIPMENT AND SUPPLIES MANAGEMENT - RECORDS MANAGEMENT

CS(LOCAL): INFORMATION SECURITY

DGC(LOCAL): EMPLOYEE RIGHTS AND PRIVILEGES - EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES

DGD(LOCAL): EMPLOYEE RIGHTS AND PRIVILEGES - EMPLOYEE USE OF COLLEGE DISTRICT FACILITIES

DH(LOCAL): EMPLOYEE STANDARDS OF CONDUCT

DHC(LOCAL): EMPLOYEE STANDARDS OF CONDUCT - CHILD ABUSE AND NEGLECT REPORTING

EFCD(LOCAL): SPECIAL PROGRAMS - HIGH SCHOOL EQUIVALENCY TESTING CENTERS

FKC(LOCAL): STUDENT ACTIVITIES - REGISTERED STUDENT ORGANIZATIONS

FLA(LOCAL): STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLAA(LOCAL): STUDENT EXPRESSION - STUDENT USE OF COLLEGE DISTRICT FACILITIES

FLB(LOCAL): STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT CONDUCT

GCB(LOCAL): PUBLIC INFORMATION PROGRAM - REQUESTS FOR INFORMATION

GD(LOCAL): COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

GDA(LOCAL): COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES - CONDUCT
ON COLLEGE DISTRICT PREMISES

RECOMMENDED ACTION: Approve TASB Policy Update 37 as Recommended by the
College President.



(LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)

Policies recommended for deletion are not included. If you want to include the text of these policies in the information given to the Board, you may download them from *Policy On Line*.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

Contact:	School Districts and Education Service Centers	Community Colleges
	policy.service@tasb.org	colleges@tasb.org
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

Statement of Ethics

As a member of the Board, I will strive to improve community college education, and to that end I shall adhere to [all state and federal laws](#), [College District policies](#), and the following ethical standards:

1. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Bring about desired changes through legal and ethical procedures, upholding and enforcing all applicable statutes, regulations, and court decisions pertaining to community colleges.
3. Work with other Board members to establish effective Board policies and to delegate authority for the administration of the College District to the [College President](#). ~~Chief Executive Officer.~~
4. [Establish and adhere as](#) ~~Work with other Board members to establish effective~~ policies and practices prohibiting unlawful discrimination, including ~~conduct that constitutes sexual harassment~~ [on the basis of sex, gender, race, color, national origin, religion, age, disability, or any other basis prohibited by law.](#) .
5. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings.
6. Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
7. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community.
8. Communicate to other Board members and the [College President](#) ~~Chief Executive Officer~~ expressions of public reaction to Board policies and [College District](#) ~~college~~ programs.
9. Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the Texas Association of Community Colleges, the American Association of Community Colleges, and the Association of Community College Trustees.
10. Support the employment of those persons best qualified to serve as [College District](#) ~~college~~ staff, and insist on a regular and impartial evaluation of all staff.

11. Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain.
12. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.
13. Remember always that my first and greatest concern must be the educational welfare of the students attending the [College Districtcollege](#).

REFERENCE: derived from *National School Boards Association*

Note: For employee, student, and community use of College District technology resources, see CR.

Technology Resources

For purposes of this policy, “technology resources” means electronic communication systems and electronic equipment.

Availability of Access

Access to the College District’s technology resources, including the ~~internet~~Internet, shall be made available to Board members primarily for official duties and in accordance with administrative regulations.

Limited Personal Use

Limited personal use of the College District’s technology resources shall be permitted if the use:

1. Imposes no tangible cost on the College District; and
2. Does not unduly burden the College District’s technology resources.

Acceptable Use

A Board member shall be required to acknowledge receipt and understanding of the user agreement governing use of the College District’s technology resources and shall agree in writing to allow monitoring of his or her use. Noncompliance may result in suspension of access or termination of privileges. Violations of law may result in criminal prosecution.

Monitored Use

Electronic mail transmissions and other use of the College District’s technology resources by a Board member shall not be considered private. ~~The College President~~The College President or designee shall be authorized to monitor the College District’s technology resources at any time to ensure appropriate use.

Disclaimer of Liability

The College District shall not be liable for a Board member’s inappropriate use of technology resources, violations of copyright restrictions or other laws, mistakes or negligence, or costs incurred. The College District shall not be responsible for ensuring the availability of the College District’s technology resources or the accuracy, appropriateness, or usability of any information found on the ~~internet~~Internet.

Records Retention

A Board member shall retain electronic records, whether created or maintained using the College District’s technology resources or using personal technology resources, in accordance with the College District’s record management program. [See BBE, CIA, and GCB]

**Meeting Place
and And Time**

The notice for a Board meeting shall reflect the date, time, and location of the meeting.

Regular Meetings

Regular **even** meetings of the Board shall typically be held on the **third Tuesday of each month at 5:30 p.m.** ~~third Tuesday of each month at 5:30 p.m.~~ When determined necessary and for the convenience of Board members, the Board President may change the date, time, or location of a regular meeting with proper notice.

Special or
Emergency
Meetings

The Board President shall call a special meeting at the Board President's discretion or on request by the College President or by ~~two~~**two** members of the Board.

The Board President shall call an emergency meeting when it is determined by the Board President, the College President, or ~~two~~**two** members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting.

Agenda

Submission of
Topics

A Board member may request that a subject be included on the agenda for a meeting. The deadline for submitting items for inclusion on the agenda is 5:00 p.m. on **the 11th business** ~~the 11th business~~ day before regular meetings and 5:00 p.m. on the 11th business day before special meetings.

Preparation

The College President ~~The College President~~ shall compile for review by the Board President all topics timely submitted by Board members, topics requested by the Board, and topics suggested by the College President.

The Board President and the **College President** ~~College President~~ shall confer regarding the proposed topics, and the Board President shall determine the topics for the official meeting agenda. The Board President shall ensure that any topic the Board or individual Board members have requested be addressed are either on the meeting agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not refuse to assign a topic requested by a Board member to an agenda and, once assigned, shall not have the authority to remove the topic from the agenda without that Board member's specific authorization.

Consent Agenda

When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.

- Notice to Members** Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting and at least ~~one hour~~~~two hours~~ prior to the time of an emergency meeting.
- Closed Meeting** Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, as provided by law. The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BDA]
- Order of Business** The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members present.
- Rules of Order** The Board shall observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised*, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.
- Voting Voting shall be by voice vote or show of hands, as directed by the Board President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request.
- Minutes** Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary.
- The official minutes of the Board shall be retained on file in the office of the ~~College President~~~~College President~~ and shall be available for examination during regular office hours.
- Discussions and Limitation** Discussions shall be addressed to the Board President and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Board President shall halt discussion that does not apply to the business before the Board.
- The Board President shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Board President shall not interfere with debate so long as members wish to address themselves to an item under consideration.

**Limit on
Participation**

Audience participation at a Board meeting is limited to the ~~public comment~~ portion of the meeting designated to receive public comment in accordance with this policy ~~for that purpose~~. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.

Public Comment
Regular Meetings

At regular Board meetings, the Board shall permit public comment, regardless of whether the topic is an item on the agenda posted with notice of the meeting.

Special Meetings

At all other Board meetings, public comment shall be limited to items on the agenda posted with notice of the meeting.

Procedures

Individuals who wish to participate during the ~~alot a~~ portion of the meeting designated for public comment ~~to hear persons who desire to make comments to the Board. Persons who wish to participate in this portion of the meeting~~ shall sign up with the presiding officer or designee before the meeting begins as specified in the Board's procedures on public comment and shall indicate the agenda item or topic ~~on about~~ which they wish to address the Board. ~~Speak.~~

Public comment ~~No presentation~~ shall occur at the beginning of the meeting.

Except as permitted by this policy and the Board's procedures, an individual's comments to the Board shall not exceed ~~five~~ five minutes per meeting.

Meeting
Management

When necessary for effective meeting management or to accommodate large numbers of individuals wishing to address the Board, the presiding officer may make adjustments to public comment procedures, including:

- Adjusting when public comment will occur during the meeting;
- Reordering agenda items;
- Deferring public comment on nonagenda items; and
- Continuing agenda items to a later meeting.

However, public comment on agenda items shall not be moved after the agenda items have been heard. The presiding officer may also provide expanded opportunity for public comment, establish an overall time limit for public comment, and adjust the time allotted to each speaker. However, no individual shall be given less. ~~Delegations of more than five persons shall appoint one minute to make comments. person to present their views before the Board.~~

Board's Response

Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

Complaints and Concerns

The presiding officer or designee shall determine whether an individual ~~a person~~ addressing the Board has attempted to solve a matter administratively through resolution channels established by policy. If not, the Board shall hear the complaint or concern and refer the individual ~~person shall be referred~~ to the appropriate policy (see list below) to seek resolution:

Employee complaints: DGBA

Student complaints: FLD

Public complaints: GB

Disruption

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any individual ~~person~~ continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the individual ~~person~~ removed from the meeting.

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

Objectives

The cash management and investment policy of the College District shall be to:

1. Ensure the safety of the College District's funds;
2. Maintain sufficient liquidity to provide adequate and timely working funds;
3. Attain a rate of return no less than the market average and consistent with safety and liquidity considerations;
4. Match the maturity of investment instruments to the daily cash flow requirements;
5. Diversify investments as to maturity, instruments, and financial institutions where permitted under state law;
6. Actively pursue portfolio management techniques; and
7. Avoid investment for speculation.

Authorized Investments

The College President or designee, who may be a contractor, shall serve as the investment officer of the College District and invest College District funds in legally authorized and adequately secured investments, including bond proceeds and pledged revenue to the extent allowed by law, in accordance with generally accepted accounting procedures. College District funds will be invested in the following:

1. Obligations of, or guaranteed by, governmental entities with an investment rating not less than A or its equivalent as permitted by Government Code 2256.009.;
2. Certificates of deposit that are fully guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC) to one or more depository institutions as permitted by Government Code 2256.010.;
3. Repurchase agreements that are fully collateralized as permitted by Government Code 2256.011.;
4. No-load mutual funds, except for bond proceeds, and no-load money market mutual funds as permitted by Government Code 2256.014.;
5. Public funds investment pools as permitted by Government Code 2256.016.;
6. Cash management and fixed income funds as permitted sponsored by Government Code 2256.020.

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

~~6-7. Negotiable certificates of deposit organizations exempt from federal income taxation~~ as permitted by Government Code 2256.020; and

~~7-8. Corporate bonds, debentures, or other similar debt obligations rated by a nationally recognized investment firm in one of the two highest long-term rating categories~~ as permitted by Government Code 2256.020.

Sellers of Investments

Prior to handling investments on behalf of the College District, a broker/dealer or a qualified representative of a business organization must submit required written documents in accordance with law.

Representatives of brokers/dealers shall 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).

Certificates of Deposit

Bids for certificates of deposit may be solicited orally, in writing, electronically, or in any combination of those methods.

Liquidity and Diversity

To meet the investment objectives of the College District, the maturity of investments shall be targeted to coincide with the cash flow needs of the College District. Investments should not be longer than five years. Total investments should be staggered so that shorter term investments will provide more liquidity. The investment portfolio shall be diversified to reduce the risk of loss of investment income from overconcentration of assets in a specific maturity, a specific issue, a specific size, or a specific class of securities.

Investment Strategy

In managing the College District's investments, the investment officer shall:

1. Generally, stay short term in liquid instruments to avoid market risk and to generate superior returns during periods of rising interest rates;
2. Invest the portfolio to the full term possible under cash budget requirements; and
3. Establish a liquidity base to provide for known short-term disbursement requirements and select remaining maturities based on investment return offered.

Monitoring Market Prices

The investment officer shall monitor the investment portfolio and shall keep the Board informed of significant changes in the market value of the College District's investment portfolio. Information

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

sources may include financial/investment publications and electronic media, available software for tracking investments, depository banks, commercial or investment banks, financial advisers, and representatives/advisers of investment pools or money market funds. Monitoring shall be done at least quarterly, as required by law, and more often as economic conditions warrant by using appropriate reports, indices, or benchmarks for the type of investment.

Monitoring Rating Changes

In accordance with Government Code 2256.005(b), the investment officer shall develop a procedure to monitor changes in investment ratings and to liquidate investments that do not maintain satisfactory ratings.

Funds / Strategies

Investment of the following fund categories shall be consistent with this policy and in accordance with the applicable strategy defined below. All strategies described below for the investment of a particular fund should be based on an understanding of the suitability of an investment to the financial requirements of the College District and consider preservation and safety of principal, liquidity, marketability of an investment if the need arises to liquidate before maturity, diversification of the investment portfolio, and yield.

Operating and
Auxiliary Funds

The primary objectives for operating funds shall be preservation and safety of principal, liquidity, and maturity sufficient to meet anticipated cash flow requirements.

Endowment Funds

The primary objective for endowment funds shall be the generation of a dependable revenue stream from high-quality securities to provide funds for awards to students as provided in the donor's donation instructions.

Unexpended Plant
Funds

Investment strategies for unexpended plant funds shall have as their primary objective the generation of a dependable revenue stream to provide for routine maintenance of facilities with sufficient liquidity to allow for major repairs and rehabilitations as needed.

Safety

The investment officer is expected to display prudence in the selection of securities, as a way to minimize default risk. No individual transaction shall be undertaken that would jeopardize the total capital position of the overall portfolio.

Investment Management

In accordance with Government Code 2256.005(3), the quality and capability of investment management for College District funds shall be in accordance with the standard of care, investment training, and other requirements set forth in Government Code Chapter 2256.

Interest Rate Risk

APPROPRIATIONS AND REVENUE SOURCES
INVESTMENTS

CAK
(LOCAL)

To reduce exposure to changes in interest rates that could adversely affect the value of investments, the College District shall use final and weighted-average-maturity limits and diversification.

The College District shall monitor interest rate risk using weighted average maturity and specific identification.

Annual Review

The Board shall review this investment policy and investment strategies not less than annually and shall document its review in writing, which shall include whether any changes were made to either the investment policy or investment strategies.

Annual Audit

In conjunction with the annual financial audit, the College District shall perform a compliance audit of management controls on investments and adherence to the College District's established investment policies.

PURCHASING AND ACQUISITION

CF
(LOCAL)

**Purchasing
Authority**

The Board delegates to the ~~College President or designee the authority~~ ~~College President or designee the authority to determine the method of purchasing, in accordance with CF(LEGAL), and to~~ make budgeted purchases for goods and services. Any purchases not included in the budget shall be taken to the Board for approval.

**Purchasing
Procedures**

The College President shall develop purchasing procedures to implement the requirements of state and federal law. [See CAA, CAAB, and CH(LEGAL)]

Purchasing Method

The Board delegates to the College President or designee the authority to determine the method of purchasing in accordance with state and federal law.

Competitive Bidding

If competitive bidding is chosen as the purchasing method, the ~~College President~~ ~~College President~~ or designee shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The College District may reject any and all bids.

**Competitive Sealed
Proposals**

If competitive sealed proposals are chosen as the purchasing method, the ~~College President~~ ~~College President~~ or designee shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time for opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The College District may reject any and all proposals.

**Electronic Bids or
Proposals**

Bids or proposals that the College District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.

Responsibility for Debts	The Board shall assume responsibility for debts incurred in the name of the College District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the College District's purchasing procedures. [See CC] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control; persons making unauthorized purchases shall assume full responsibility for all such debts.
Purchase Commitments	All purchase commitments shall be made by the College President College President or designee, in accordance with administrative procedures, including the College District's purchasing procedures.
Personal Purchases	College District employees shall not be permitted to make purchases for personal use through the College District's business office.
Delinquent Franchise Taxes	Each corporation contracting with the College District shall certify that its franchise taxes are current. If the corporation is exempt from payment of franchise taxes or is an out-of-state corporation not subject to Texas franchise tax, it shall certify a statement to that effect. Making a false statement as to corporate franchise tax status shall be considered a material breach of the contract and shall be grounds for cancellation of the contract.
Authorized Purchases	<p>Unless state law or Board policy specifically requires the Board to make or approve a purchase, authorized College District employees in charge of a department budget may purchase items included in their approved budget, in accordance with administrative procedures.</p> <p>All regular creditors of the College District shall be notified that purchase commitments made without a properly drawn purchase order and not signed by the College President or designee shall not be honored by the College District.</p>
Verifying Purchases	The College President or designee shall establish procedures regarding the manner of verifying the quality, quantity, and physical condition of the materials received so that approval for payment may be established.
Sign for Surplus Property	Specified employees may be authorized by the College President to sign for surplus property items from appropriate agencies.

**Emergency
Operations Plan**

In accordance with state requirements, the College District shall maintain a multihazard emergency operations plan that provides for appropriate employee training; [adequate communications technology and infrastructure, including employee access to emergency communication devices](#); coordination with state and local entities; and implementation of a safety and security audit.

**Emergency
Response and
Evacuation
Procedures**

In accordance with federal law, the College District shall maintain effective emergency response and evacuation procedures that can be implemented on short notice and that will ensure optimum safety for students and personnel.

**Emergency Alert
System**

In accordance with state requirements, the College District shall maintain an emergency alert system that provides for timely notification to students, faculty, and staff of emergencies affecting the College District or its students and employees.

Firearms

The College District prohibits the use, possession, or display of a firearm on College District property or at a College District-sponsored or -related activity in violation of law and College District regulations.

Licensed peace officers are authorized by law to carry firearms at all times.

Open Carry

The College District prohibits the open carry of handguns or other firearms on College District property in accordance with law.

Concealed Carry

A license holder shall be permitted to carry a concealed handgun on College District property except where prohibited by law or this policy.

Definitions

Campus or site: Campus or site refers to all land and buildings owned or leased by the College District.

Concealed carry: The Texas Department of Public Safety defines a concealed handgun as a handgun not openly discernable to the ordinary observation of a reasonable person.

Handgun or pistol: A handgun, also described as a pistol, is any firearm that is designed, made, or adapted to be fired with one hand. This characteristic differentiates handguns as a general class of firearms from long guns such as rifles and shotguns (which usually can be braced against the shoulder). The most common handguns carried by license holders are semiautomatic pistols and revolvers.

Formal hearing: A formal hearing is a meeting or other proceeding in which a party is pursuing a complaint, charge, grievance, appeal or other administrative process. A hearing officer, administrative officer, committee, hearing panel, or similar administrative body, either during or subsequent to the hearing decides the outcome or makes recommendations through official process.

Law enforcement officer: A law enforcement officer is any person who is vested with the statutory authority to enforce criminal laws and make arrests and who is a licensed Texas peace officer duly commissioned by the Texas Commission on Law Enforcement (TCOLE) or under the laws of the United States and employed or commissioned as a peace officer with a TCOLE-recognized law enforcement agency in accordance with law.

License holder: A license holder is a person licensed to carry a handgun in accordance with law.

“On or about their person: On or about their person means”: Means a person licensed to carry a handgun must carry a handgun in a

manner that the handgun is close enough to the license holder that he or she can reach it without materially changing position. This would include “book bags” under the direction, control, and possession of the license holder.

Revolver: A revolver is a repeating handgun, which has a revolving cylinder containing multiple chambers and at least one barrel for firing.

Semiautomatic pistol: A semiautomatic pistol uses the energy of the fired cartridge to cycle the action of the firearm and advance the next available cartridge into a position for firing. One round fires each time the trigger of the semiautomatic weapon is pulled, and it uses a magazine to store and feed cartridges into the chamber.

*General
Provisions*

A license holder shall be prohibited from carrying a partially or wholly visible handgun on College District roadways, driveways, streets, sidewalks or walkways, or a parking lot or garage. License holders who carry a handgun onto any College District site otherwise not excluded, must carry it concealed and on or about their person at all times or secure the handgun in a locked privately-owned or -leased motor vehicle.

The concealed carry of handguns by license holders shall be prohibited in areas for which state or federal law, licensing requirements, or contracts require exclusion solely at the discretion of the state or federal government, or are required by a campus accrediting authority. Where appropriate, signage shall conform to the overriding federal or state law requirements. Otherwise, notice in accordance with law shall be provided.

A license holder who carries a handgun on campus must conform to all state laws concerning conceal carry. State law requires the handgun to be concealed in a holster that completely covers the trigger and entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.

In accordance with law, license holders must take a training class and receive training in proper handgun storage principles. It is the responsibility of a license holder to properly carry and store the handgun in a safe manner. The law requires a handgun be stored in a manner that a child would not be at risk of accidental injury. Storage for weapons shall not be provided by the College District. Providing storage increases the time and frequency spent handling a firearm; therefore, increasing the risk of accidental discharges, ability for others to identify license holders, and possibility of theft of firearms as storage locations would be generally well-known. Existing lockers, cabinets, closets, and furnishings are the property

of the College District and do not meet the definition of providing safe and secure storage for handguns.

*Exclusionary
Zones*

In accordance with law, the College President shall be authorized to designate specific areas to be excluded from areas otherwise open to a license holder.

Exclusionary zones created by state law as well as those created by this policy may sometimes comprise only a portion of a building. In some instances, it may not be feasible to exclude concealed handguns only from the designated exclusion zones. In buildings in which some, but not all parts are designated as exclusion zones, the following factors shall apply:

1. The percentage of assignable space or rooms in a building that are designated as exclusion zones;
2. The extent to which the area(s) designated as exclusion zones are segregated from other areas of the building; and
3. The extent to which use of the building, and hence its status as an exclusion zone, varies from day-to-day or week-to-week.

If a small number of rooms or a small fraction of assignable space in a building is subject to exclusion, only the rooms or areas that qualify for exclusion should be excluded. Appropriate signage must be posted for excluded rooms or areas.

If a significant fraction of the total building in terms of number of rooms or assignable space is subject to exclusion, or if the excludable space is not segregated from other space, then as a matter of practicality, the whole building shall be excluded. Appropriate signage must be posted for any such building.

Housing

The following rules and exceptions shall apply to the concealed carry of handguns for Benton Hall and the CBC Apartments:

1. For Benton Hall, the carrying of a concealed handgun by a license holder shall not be permitted in any area other than common areas, parking areas, and sidewalks.
2. A resident's family member who is a license holder may carry on or about their person while visiting. Residents shall be responsible for ensuring their guests comply with all rules and regulations contained in this policy.
3. Staff members who are license holders and whose employment responsibilities require them to be in Benton Hall shall be permitted to carry a concealed handgun on or about their person while present at Benton Hall for business purposes.

4. License holders who reside in Benton Hall shall not be permitted to store a handgun inside their room and must store their handguns in a locked, privately-owned or -leased motor vehicle. License holders shall be responsible for ensuring their guests comply with all rules and regulations contained in this policy.
5. Housing contracts shall provide that a violation of any College District rule or regulation regarding the carrying or storage of firearms shall be grounds for termination of the housing contract.

Employees

Except as noted above, employees who are license holders may enjoy commiserative concealed handgun rights but may be limited by job description if there is a substantial interference with the employees' assigned duties as determined by their supervisor.

Staff members who are license holders may conceal carry in College District classrooms, including dual enrollment classes held on College District sites. This right does not apply to dual enrollment classes held on the premises of an independent school district.

Employees are prohibited from carrying a handgun into any employee evaluation, counseling, or disciplinary meeting in which an employee is the subject of the counseling or a disciplinary action.

Employees and volunteers who work in a campus program for minors must, as a condition of their participation, agree not to carry a concealed handgun on the grounds or in buildings where the program is conducted. Parents of attendees must also agree, as a condition of their child's participation, not to carry a concealed handgun on the grounds or in buildings where the program is conducted.

Notice

Appropriate notice and signage, both permanent and situational, shall be provided by the College District in accordance with law.

**Other Weapons
Prohibited**

The College District prohibits the use, possession, or display of any location-restricted knife, club, [knuckles](#), or prohibited weapon, as defined by law, on College District property or at a College District-sponsored or -related activity, unless written authorization is granted in advance by the [College President](#)~~College President~~ or designee.

Additionally, the following weapons are prohibited on College District property or at any College District-sponsored or -related activity:

SITE MANAGEMENT
WEAPONS

CHF
(LOCAL)

1. Fireworks of any kind, except when given prior approval by the College President for use in a display for a specific activity;
2. Incendiary devices;
3. Instruments designed to expel a projectile with the use of pressurized air, like a BB gun;
4. Razors;
5. Chains; or
6. Martial arts throwing stars.

The possession or use of articles not generally considered to be weapons may be prohibited when the ~~College President~~ **College President** or designee determines that a danger exists for any student, College District employee, or College District property by virtue of possession or use.

Violations

Employees and students found to be in violation of this policy shall be subject to disciplinary action. [See DH, FM, and FMA]

The ~~College President~~ **College President** shall oversee the performance of records management functions prescribed by state and federal law:

- Records Administrator, as prescribed by Local Government Code 176.001 and 176.007 [See BBFA and CFE]
- Officer for Public Information, as prescribed by Government Code 552.201–.205 [See GCB]
- Public Information Coordinator, as prescribed by Government Code 552.012 [See BBD]

**Local Government
Records Act**

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

“Local Government
Record”

Records
Management
Officer

The ~~College President~~ **College President** shall serve as and perform the duties of the College District’s records management officer, as prescribed by Local Government Code 203.023, and shall administer the College District’s records management program pertaining to local government records in compliance with the Local Government Records Act.

Notification

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

Records Control
Schedules

The records management officer shall file with the TSLAC a written ~~certification~~ **declaration** that the College District has adopted records control schedules that comply with records retention schedules issued by the TSLAC as provided by law.

Website Postings

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

**Records Destruction
Practices**

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

when routine record destruction practices must be suspended and when they may be resumed.

Training

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

	<p>The College President is responsible for the security of the College District's information resources. The College President or designee shall develop procedures for ensuring the College District's compliance with applicable law.</p>
Information Security Officer	<p>The College President or designee shall designate an information security officer (ISO) who is authorized to administer the information security requirements under law. The College President or designee must notify the Department of Information Resources (DIR) of the individual designated to serve as the ISO.</p>
Information Security Program	<p>The College President or designee College President shall annually review and approve an information security program designed in accordance with law by the ISO to address the security of the information and College District's information resources owned, leased, or under the custodianship of the College District against unauthorized or accidental modification, destruction, or disclosure. The This program shall include procedures for risk assessment and for information security awareness education for employees when hired and an ongoing program for all users.</p> <p>The information security program must be submitted biennially for review by an individual designated by the College President and who is independent of the program to determine if the program complies with the mandatory security controls defined by DIR and any controls developed by the College District in accordance with law.</p>
Website and Mobile Application Security	<p>The College President or designee shall adopt procedures addressing the also address accessibility, privacy, and security of the College District's website and mobile applications and submit the procedures to DIR for review.</p> <p>The procedures must require the developer of a website or application for the College District that processes confidential information to submit information regarding the preservation of the confidentiality of the information. The College District must subject the website or application to a vulnerability and penetration test before deployment.</p>
Reports	
Information Security Plan	<p>The College District shall submit a biennial information security plan to DIR in accordance with law.</p>
Effectiveness of Policies and Procedures	<p>The ISO shall report annually to the College President on the effectiveness of the College District's information security policies, procedures, and practices in accordance with law and administrative procedures.</p>

<p>Security Incidents <i>By the College District</i> Generally</p>	<p>The College District shall assess the significance of a security incident and report urgent incidents to DIR and law enforcement in accordance with law and, if applicable, DIR requirements.</p>
<p>Security Breach Notification</p>	<p>Upon discovering or receiving notification of a breach of system security, the College District shall disclose the breach to affected persons or entities in accordance with the time frames established by law.</p> <p>The College District shall give notice by using one or more of the following methods:</p> <ol style="list-style-type: none">1. Written notice.2. Electronic mail, if the College District has electronic mail addresses for the affected persons.3. Conspicuous posting on the College District's website.4. Publication through broadcast media.
<p>Monthly Reports</p>	<p>The College District must provide summary reports of security incidents monthly to DIR in accordance with the deadlines, form, and manner specified by law and DIR.</p>
<p><i>By Vendors and Third Parties</i></p>	<p>4.5. The College District shall include in any vendor or third-party contract the requirement that the vendor or third party report information security incidents to the College District in accordance with law and administrative procedures.</p>

EMPLOYEE RIGHTS AND PRIVILEGES
~~EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES~~
~~ACADEMIC FREEDOM AND RESPONSIBILITIES~~

DGC
(LOCAL)

Note: For expression and use of College District facilities by students and registered student organizations, see FLA. For expression and use of College District facilities by the community, including by nonstudents and organizations that are not registered student organizations, see GD. For use of the College District's internal mail system, see CHE.

Academic Freedom

Each faculty member is entitled to academic freedom within the established guidelines of the Faculty Code of Professional Ethics in the classroom when discussing the subject that he or she teaches. [See DH(EXHIBIT)] Each faculty member is a citizen of his or her nation, state, and community, and when he or she is speaking or writing as a citizen, shall be free from instructional censorship or discipline by the College District.

Academic Responsibility

Each faculty member has the fundamental responsibility to **maintain** competence in the field of specialization and to exhibit such competence in lectures, discussion, and publication.

Distribution of Literature

Each faculty member shall recognize that the public will judge his or her profession and the College District by his or her statements. When in the classroom, he or she should strive to be accurate, to exercise appropriate restraint, and to show respect for the opinions of others. When speaking as a private person, he or she should avoid creating the impression that he or she is representing the College District. A teacher should be judicious in the use of controversial material in the classroom and should introduce such material only if, in his or her professional opinion, it has a clear relationship to the subject he or she is teaching.

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any employee or employee organization, except in accordance with this policy.

Limitations on Content

The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by an employee or employee organization.

Materials shall not be distributed by an employee or employee organization on College District property if:

1. The materials are obscene;
2. The materials contain defamatory statements about public figures or others;

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EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES
~~ACADEMIC FREEDOM AND RESPONSIBILITIES~~

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3. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action;
4. The materials are considered prohibited harassment [see DIA series and FFD series];
5. The materials constitute unauthorized solicitation [see Facilities Use, below]; or
6. The materials infringe upon intellectual property rights of the College District [see CT].

Time, Place, and Manner Restrictions

Distribution of materials shall be conducted in a manner that:

1. Is not disruptive to College District operations;
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property;
4. Does not interfere with the rights of others; and
5. Does not violate local, state, or federal laws or College District policies and procedures.

The distributor shall clean the area around which the literature was distributed of any materials that were discarded or leftover.

The College President or designee shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by employees or employee organizations to employees or others in College District facilities and areas that are not considered common outdoor areas.

Facilities Use

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

An "employee organization" is an organization composed only of College District faculty and staff or an employee professional organization.

Requests

To request permission to meet in College District facilities, interested employees or employee organizations shall file a written request with the College President or designee in accordance with administrative procedures.

EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES
~~ACADEMIC FREEDOM AND RESPONSIBILITIES~~

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The employees or the employee 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 College President or designee shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint, or other content of the speech likely to be associated with the employees' or employee organization's use of the facility.

*Common
Outdoor Area
Exception*

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

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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 nonpermissible solicitation;
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;
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 College President or designee shall provide the applicant a written statement of the grounds for rejection if a request is denied.

Common outdoor areas are traditional public forums and are not subject to the approval procedures. Employees and employee organizations may engage in expressive activities in common outdoor areas, unless:

1. The person's conduct is unlawful;

EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE EXPRESSION AND USE OF COLLEGE FACILITIES
~~ACADEMIC FREEDOM AND RESPONSIBILITIES~~

DGC
(LOCAL)

2. The 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;
3. The use would materially or substantially disrupt or disturb the regular academic program; or
4. The use would result in damage to or defacement of property.

Announcements
and Publicity

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

Identification

Employees and employee organizations using College District facilities must provide identification when requested to do so by a College District representative.

Violations

Failure to comply with this policy and associated procedures shall result in appropriate administrative action, including but not limited to, suspension of an employee's or employee organization's use of College District facilities and/or other disciplinary action in accordance with the College District's policies and procedures and the employee handbook.

Interference with
Expression

Faculty, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures. [See DH, FM, and FMA]

Appeals

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

Publication

This policy and associated procedures must be posted on the College District's website and distributed in the employee and student handbooks and other appropriate publications.

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ADOPTED: ~~ADOPTED:~~

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~~EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE USE OF COLLEGE DISTRICT FACILITIES~~

DGD
(LOCAL)

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

~~An "employee organization" is an organization composed only of College District faculty and staff or an employee professional organization.~~

Requests

~~To request permission to meet on College District premises, interested employees or employee organizations shall file a written request with the College President or designee in accordance with administrative procedures.~~

~~The employees or the employee 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 College President or designee shall approve or reject the request in accordance with provisions 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 employees' or employee 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 nonpermissible solicitation;~~
- ~~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;~~

~~EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE USE OF COLLEGE DISTRICT FACILITIES~~

DGD
(LOCAL)

- ~~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 College President or designee 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 employees and employee organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.~~

Identification

~~Employees and employee organizations using College District facilities must provide identification when requested to do so by a College District representative.~~

Violations

~~Failure to comply with the policy and procedures regarding employee use of College District facilities shall result in appropriate administrative action, including but not limited to, suspension of an employee's or employee organization's use of College District facilities, and/or other disciplinary action in accordance with the College District's policies and procedures and the employee handbook.~~

Appeals

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

All College District employees shall perform their duties in accordance with state and federal law, College District policy, and ethical standards.

All College District personnel shall recognize and respect the rights of students, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the College District.

**Grounds for
Disciplinary Action**

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as College District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. The reasons hereafter listed shall also constitute cause for discharge of an employee with an unexpired contract: [See DDC and DM series]

1. Misuse of College District resources: Unauthorized personal use of College District time, property, facilities, or equipment shall be prohibited. An employee shall not utilize College District time, property, facilities, or equipment for any purpose other than official College District business, unless such use is approved by the employee's direct supervisor in writing. The employee's supervisor shall consider whether the use is reasonable and incidental and does not result in any personal economic gain to the employee, direct cost to the College District, interference with official duties, or interference with College District functions.
2. Intentional destruction of College District records: Any intentional act to destroy College District records outside of the College District's requirements for records retention and destruction is prohibited. An employee shall also comply with the College District's requirements for records retention and destruction to the extent those requirements apply to electronic media. College District records as referenced herein are "local government records" as defined in Local Government Code 201.003(8). [See CIA and GCB]
3. Violation of the College District's alcohol and drugs policy: The College District prohibits the unlawful manufacture, sale, distribution, dispensation, possession, or use of chemical inhalants, controlled substances, and/or alcohol in the workplace or at College District-related activities during or outside of usual working hours. The College District further prohibits the consumption of any alcoholic beverage, or being under the influence of chemical inhalants, alcohol, or any

controlled substances within the workplace, or in College District-owned vehicles. An individual need not be legally intoxicated to be considered under the influence of a controlled substance or alcohol.

Unlawful controlled substances, alcohol and alcoholic beverages, and chemical inhalants are defined as follows:

- a. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.

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

- (1) Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
- (2) Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use;~~or~~
- (3) Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian;

- (1) Cultivates, possesses, transports, or sells hemp as authorized by law; or
- (2) Possesses, sells, or distributes Dextromethorphan.

- b. Alcohol or any alcoholic beverage as defined by state law.
- c. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
- d. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drugs.

An employee shall not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a substance listed above where the act is carried out in furtherance of the employee's job responsibilities or where possession and use are authorized by a licensed physician and prescribed for the employee.

The College President is authorized to approve exemptions to allow the serving and consumption of alcoholic beverages, as provided by law at various College District events sponsored or approved by the College District.

A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided each employee at the beginning of each year or upon employment.

Each employee shall be given a copy of the College District's notice regarding a drug-free workplace. [See DI(EXHIBIT)]

4. Violation of the College District's smoke-free environment policy: An employee shall not use tobacco products or e-cigarettes on College District property, in College District vehicles, or at College District-related activities, unless authorized by the College President or designee. [See FLBD]

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

~~"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:~~

- ~~a. A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and~~
- ~~b. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.~~

Administrators and other supervisory personnel shall take appropriate steps to provide adequate notice regarding the College District's tobacco and e-cigarette use restrictions, including:

- a. Posting signs in appropriate places in all College District facilities and vehicles;
- b. Permitting the use of tobacco products and e-cigarettes in designated outdoor areas; and
- c. Prohibiting the sale of tobacco products and e-cigarettes on the College District campus.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

5. Conviction or pleas for any felony or crime of moral turpitude: Employees convicted or pleading guilty or no contest to any felony or crime of moral turpitude, as defined by law, shall be dismissed or, in the case of unexpired contracts, shall serve as a basis for action to dismiss.

An employee shall notify his or her immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or any offense involving moral turpitude.

Moral turpitude includes but is not limited to:

- a. Dishonesty, fraud, deceit, theft, or misrepresentation;
 - b. Deliberate violence;
 - c. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
 - d. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
 - e. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
 - f. Acts constituting abuse under the Texas Family Code.
6. Unprofessional conduct.
 7. Discrimination or harassment of an employee, student, or applicant for a position or program at the College District, or retaliation against a person for complaining of discrimination and/or harassment or for cooperating in an investigation of alleged discrimination and/or harassment.
 8. Professional incompetence and inability to carry out job duties, responsibilities, and work assignments.
 9. Insubordination and repeated failure to comply with directives by supervisors, the College President or established by Board policy, or administrative procedure.
 10. Repeated willful and serious dereliction of duty.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

11. Assault of an employee of the College District, a student of the College District, or a parent or legal guardian of a student of the College District.
12. Deliberate violation of another's civil rights while performing assigned duties.
13. Unauthorized and deliberate failure to report for duty after all leave has been exhausted.
14. Deliberate falsification of information contained in the employee's application for employment.
15. Deliberate falsification of any document in connection with the employee's employment relationship with the College District or in connection with any College District activity.
16. Theft of College District property.
17. Excessive unexcused absences.
18. Unauthorized and intentional disclosure of confidential employee or student information.

EMPLOYEE STANDARDS OF CONDUCT
CHILD ABUSE AND NEGLECT REPORTING

DHC
(LOCAL)

**Adverse
Employment Action
Prohibited**

The College District prohibits any adverse employment action, including termination or discrimination, against any employee who in good faith reports child abuse or neglect or participates in a related investigation.

An official high school equivalency testing center shall be located at one or more College District facilities designated by the Board.

Procedures

The ~~College President~~ ~~College President~~ or designee shall develop written procedures concerning the operation of the center and administration of the test. The procedures shall:

1. Address the selection, requisition, and storage of test materials;
2. Address the provision of a suitable place for administering the test;
3. Address test security;
4. Include a written emergency plan; and
5. Address other operational matters as appropriate.

Testing Information

The ~~College President~~ ~~College President~~ or designee shall publish information about the available testing opportunities on the College District's website and in appropriate College District publications.

Fees

If permitted by the Texas Education Agency (TEA) and the test provider, the Board may approve a fee for the administration of a test.

Annual Report

The ~~College President~~ ~~The College President~~ or designee shall report to the Board annually concerning the center, including the number of tests administered and the funds received for administering the test.

An organization in which membership is limited to students, staff, and faculty may become a registered student organization by complying with the registration procedures established by the [Dean of Student Services & Accessibility](#)

Registered student organizations shall abide by College District policies and procedures and applicable law. Registered status shall not imply that the College District endorses a student organization's opinions and activities.

**Registration
Required**

An eligible group of students shall be entitled to register as a student organization. Approval for registration of an organization on any one campus or center shall be effective for the college district.

Eligibility

A group shall be eligible for registration if:

1. Its membership consists of seven or more students.
2. It does not deny membership to anyone on the basis of sex, disability, age, color, race, nationality, or religion.
3. It has an [adviseor](#) ~~advisor~~ who is a member of the faculty or the staff.
4. It is not under a disciplinary penalty prohibiting registration.
5. It conducts its affairs in accordance with College District policies, procedures, rules, and regulations; as well as with local, state, and federal laws.
6. Its membership is limited only to students, staff, and faculty of the College District.

Regardless of the above criteria, the College District shall not deny an application for registration based on a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or any expressive activities of the organization.

**Rejection of
Application**

If the [Dean of Student Services & Accessibility](#) does not approve the application for registration, he or she shall provide the applicant with a copy of a written statement of the reasons for refusal, and the applicant may appeal to the College President.

[The College President](#) ~~The College President~~ may take one of the following actions:

1. Affirm the [Dean of Student Services & Accessibility](#) decision.
2. Reverse the [Dean of Student Services & Accessibility](#) decision.

3. Appoint a committee to conduct a hearing and report its findings to the applicant and the College President, who shall then take final action.

~~The College President~~~~The College President's~~ decision may be appealed to the Board.

Rights and Duties

Each registered student organization shall adopt a written charter, constitution, or other governing document. A copy shall be filed with the College District.

A registered student organization may conduct meetings, events, performances, and similar activities in accordance with College District facilities use policies and procedures. [See ~~FLA~~ ~~FLAA~~] The organization shall not advertise, promote, or represent that an event or activity is associated with the College District unless prior approval is obtained in accordance with applicable procedures. [See FK]

A registered student organization may distribute written or printed materials or other visual or auditory materials in accordance with College District literature distribution policies and procedures. [See FLA] The organization may not represent that visual or auditory materials are sponsored by the College District unless prior approval is obtained in accordance with applicable procedures. [See FKA]

In accordance with state law, officers of a registered student organization shall attend a risk management program provided by the College District.

Required Submissions

Each registered student organization shall submit the following:

1. At the beginning of each semester, a complete list of officers or other representatives of the organization who are authorized to receive official notices, directives, or information from the College District on behalf of the organization. The list shall be kept current and accurate by the organization.
2. At the beginning of each semester, an affidavit stating that the organization or group does not, and will not, accept any member who is not a student or a member of the faculty or staff of the College District.
3. A financial statement form supplied by the business office to be filed on the first workday of July and January.

Loss of Registration

Upon written notice, a student organization's registered status may be revoked by the [Dean of Student Services & Accessibility](#) if it:

STUDENT ACTIVITIES
REGISTERED STUDENT ORGANIZATIONS

FKC
(LOCAL)

1. No longer meets the eligibility requirements; or
2. Violates College District policies and procedures or local, state, or federal law.

A student organization whose registered status has been revoked may appeal to the ~~College President~~ ~~College President~~, who may take appropriate action regarding the issue. If the organization is not satisfied with the decision, it may appeal that decision to the Board.

A student organization whose registered status has been revoked shall be prohibited from reapplying for registered status for a period described in the revocation notice. The prohibition shall be for a period of not less than four months following the date of the notice and may be permanent. The revocation shall be effective ~~College District-wide~~ ~~Districtwide~~.

**Disciplinary
Violations**

In addition to the revocation of registered status, violations of College District policies and procedures or local, state, or federal law shall subject the student organization and its individual members to disciplinary action in accordance with policies FM and FMA.

Note: For expression and use of College District facilities by employees and employee organizations, see DGC. For expression and use of College District facilities by the community, including by nonstudents and organizations that are not registered student organizations, see GD.

Distribution of Literature

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any College District student or registered student organization [see FKC], except in accordance with this policy.

The College District shall not be responsible for, nor shall the College District endorse, the contents of any ~~materials~~ ~~nonschool literature~~ distributed by students or registered student organizations that is not sponsored by the College District.

Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities shall not be ~~considered nonschool literature and shall not be~~ governed by this policy.

~~[For distribution of nonschool literature by nonstudents and organizations that are not registered student organizations, see GD]~~

Limitations on Content

~~Materials~~ ~~Nonschool literature~~ shall not be distributed by students or registered student organizations on College District property if:

1. The materials are obscene.
2. The materials contain defamatory statements about public figures or others.
3. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
4. The materials are considered prohibited harassment. [See DIAA, DIAB, FFDA, and FFDB]
5. The materials constitute nonpermissible solicitation. [See FI]
6. The materials infringe upon intellectual property rights of the College District. [See CT]

Time, Place, and Manner Restrictions

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STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLA
(LOCAL)

Distribution of the ~~materials~~ ~~nonschool literature~~ shall be conducted in a manner that:

1. Is not disruptive; [See FLB]
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property;
4. Does not coerce, badger, or intimidate a person;
5. Does not interfere with the rights of others; and
6. Does not violate local, state, or federal laws or College District policies and procedures.

The distributor shall clean the area around which the literature was distributed of any ~~materials~~ ~~literature~~ that ~~were~~ ~~was~~ discarded or left-over.

The Dean of Student Services & Accessibility shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by students or registered student organizations to students or others in College District facilities and in areas that are not considered common outdoor areas.

Posting of Signs

For the purposes of this policy, "sign" shall be defined as a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; and "posting" shall be defined as any means used for displaying a sign.

Except for signs that violate the ~~restrictions in this policy and administrative procedures~~ ~~limitations on content, as described above~~, a student or registered student organization may publicly post a sign on College District property in common outdoor areas and in areas or locations designated by the Dean of Student Services & Accessibility. No object other than a sign may be posted on College District property.

~~Before publicly posting a sign, a student or registered student organization shall:~~

~~1. Deliver a copy, photograph, or description of the sign to be posted.~~

~~2. Give notice of the following information:~~

~~a. The name of the student or registered student organization and, if an organization, the name of its adviser;~~

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLA
(LOCAL)

- ~~b. The proposed general location for posting the sign;~~
- ~~c. The length of time the sign will be posted; and~~
- ~~d. The signature of the student or, if a registered student organization, the signature of its authorized representative and the signature of its adviser.~~

~~3. Place the date of posting on each sign posted.~~

Restrictions

A sign shall not be larger than 22 inches by 28 inches, unless authorized by the [Dean of Student Services & Accessibility](#). A sign shall not be attached or posted:

1. To a shrub or plant;
2. To a tree, except by string to its trunk;
3. To a permanent sign installed for another purpose;
4. To a fence or chain or its supporting structure;
5. To a brick, concrete, or masonry structure.
6. To a statue, monument, or similar structure;
7. On or adjacent to a fire hydrant; or

~~8. On or between a curb and sidewalk; or~~

~~9-8.~~ In a College District building, except on a bulletin board designated for that purpose.

Removal

A student or registered student organization shall remove each sign not later than 14 days after posting or, if it relates to an event, not longer than 24 hours after the event to which it relates has ended.

A sign posted in accordance with this section shall not be removed without permission from the [Dean of Student Services & Accessibility](#), the student, or the registered student organization.

Disclaimer

~~Materials~~Literature distributed by a registered student organization must include a disclaimer indicating that the ~~materials are~~literature ~~is~~ not sponsored by the College District and ~~do~~es not represent the views of the College District or College District officials, faculty, or staff.

Facilities Use

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

	<p>student organization shall pay all expenses incurred by their use of facilities in accordance with a fee schedule developed by the Board.</p>
Requests	<p>To request permission to meet in College District facilities, interested students or registered student organizations shall file a written request with the executive Dean of Student Services & Accessibility or designee in accordance with administrative procedures.</p> <p>The student 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.</p>
Approval	<p>The executive Dean of Student Services & Accessibility or designee shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic view- point, or other content of the speech likely to be associated with the student's or registered student organization's use of the facility.</p> <p>Approval shall not be granted when the official has reasonable grounds to believe that:</p> <ol style="list-style-type: none">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;7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

Coastal Bend College

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UPDATE 3728

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STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLA
(LOCAL)

	<p>The executive Dean of Student Services & Accessibility or designee shall provide the applicant a written statement of the grounds for rejection if a re-quest is denied.</p>
<p><i>Common Outdoor Area Exception</i></p>	<p>Common outdoor areas are traditional public forums and are not subject to the approval procedures. Students and student organizations may engage in expressive activities in common outdoor areas, unless:</p> <ol style="list-style-type: none">1. The person's conduct is unlawful;2. The 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;3. The use would materially or substantially disrupt or disturb the regular academic program; or4. The use would result in damage to or defacement of property.
<p>Announcements and Publicity</p>	<p>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.</p>
<p>Identification</p>	<p>Students or registered student organizations distributing materials on campus or using College District facilities shall provide identification when requested to do so by a College District representative.</p>
<p>Violations of Policy</p>	<p>Failure to comply with thisthe policy and associated procedures regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to, confiscation of nonconforming materials, suspension of a student's or 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].</p>
<p>Interference with Expression</p>	<p>Faculty members, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures [see DH, FM, and FMA].</p>
<p>Appeals</p>	<p>Decisions made by the administration in accordance with this policy may be appealed in accordance with DGBA(LOCAL) or FLD(LOCAL), as applicable.</p>
<p>Publication</p>	<p>This policy and associated procedures must be posted on the College District's website and distributed in the student and employee handbooks and other appropriate publications. They must also be distributed to students at orientation.</p>

STUDENT EXPRESSION
STUDENT USE OF COLLEGE DISTRICT FACILITIES

FLAA
(LOCAL)

~~The grounds and facilities of the College District shall be made available to students or registered student organizations [see FKG] when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting student 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 file a written request with the executive dean of student services or designee in accordance with administrative procedures.~~

~~The student 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 executive dean of student services or designee 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 nonpermissible solicitation [see F1];~~
- ~~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;~~

STUDENT EXPRESSION
STUDENT USE OF COLLEGE DISTRICT FACILITIES

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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 executive dean of student services or designee 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}~~

Definitions

Definitions of terms used in this policy shall be as follows.

“Student”

A “student” shall mean one who is currently enrolled in the College District. These policies and regulations shall also apply to any prospective or former student who has been accepted for admission or readmission to any component institution while he or she is on the premises of any component institution.

“Premises”

The “premises” of the College District is defined as all real property over which the College District has possession and control.

“Scholastic Dishonesty”

“Scholastic dishonesty” shall include, but not be limited to, cheating, plagiarism, and collusion.

“Cheating” shall include, but shall not be limited to:

1. Copying from another student’s test or class work;
2. Using test materials not authorized by the person administering the test;
3. Collaborating with or seeking aid from another student during a test without permission from the test administrator;
4. Knowingly using, buying, selling, stealing, or soliciting, in whole or in part, the contents of an unadministered test, paper, or another assignment;
5. The unauthorized transporting or removal, in whole or in part, of the contents of the unadministered test;
6. Substituting for another student, or permitting another student to substitute for one’s self, to take a test;
7. Bribing another person to obtain an unadministered test or information about an unadministered test; or
8. Manipulating a test, assignment, or final course grades.

“Plagiarism” shall be defined as the appropriating, buying, receiving as a gift, or obtaining by any means another’s work and the unacknowledged submission or incorporation of it in one’s own written work.

“Collusion” shall be defined as the unauthorized collaboration with another person in preparing written work for fulfillment of course requirements.

“Disorderly Conduct”

“Disorderly conduct” shall include any of the following activities occurring on premises owned or controlled by the College District:

STUDENT RIGHTS AND RESPONSIBILITIES
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1. Behavior of a boisterous and tumultuous character such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists.
2. Interference with the peaceful and lawful conduct of persons under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
3. Violent and forceful behavior at any time such that there is a clear and present danger that free movement of other persons will be impaired.
4. Behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or fights.
5. Violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
6. Willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when there is reason to believe that such conduct will cause or provoke a disturbance.
7. Willful and malicious behavior that obstructs or causes the obstruction of any doorway, hall, or any other passageway in a College District building to such an extent that the employees, officers, and other persons, including visitors, having business with the College District are denied entrance into, exit from, or free passage in such building.

Responsibility

Each student shall be charged with notice and knowledge of, and shall be required to comply with, the contents and provisions of the College District's rules and regulations concerning student conduct.

All students shall obey the law, show respect for properly constituted authority, and observe correct standards of conduct. Each student shall be expected to:

1. Demonstrate courtesy, even when others do not;
2. Behave in a responsible manner, always exercising self-discipline;
3. Attend all classes, regularly and on time;
4. Prepare for each class and take appropriate materials and assignments to class;

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5. Obey all classroom rules;
6. Respect the rights and privileges of students, faculty, and other College District staff and volunteers;
7. Respect the property of others, including College District property and facilities; and
8. Cooperate with and assist the College District staff in maintaining safety, order, and discipline.

Prohibited Conduct

Federal, State, and Local Law	Violations of federal, state, or local law or College District policies, procedures, or rules, including the student handbook shall be prohibited.
Prohibited Weapons	Possession, distribution, sale, or use of firearms, location-restricted knives, clubs, knuckles , or other prohibited weapons, as described in CHF, without prior approval shall be prohibited.
Drugs and Alcohol	The following behavior regarding drugs and alcohol shall be prohibited: <ol style="list-style-type: none">1. The use, possession, control, manufacture, transmission, or sale, or being under the influence, of a drug or narcotic, as those terms are defined by the Texas Controlled Substances Act, or other prohibited substances described in FLBE, unless under the direction of a physician;2. The use, possession, control, manufacture, transmission, or sale of paraphernalia related to any prohibited substance; and3. The use, possession, control, manufacture, transmission, or sale, or being under the influence, of alcohol or other intoxicating beverage without the permission of the College District.
Debts	Owing a monetary debt to the College District that is considered delinquent or writing an "insufficient funds" check to the College District shall be prohibited.
Disruptions	"Disorderly conduct," as defined above, or disruptive behavior shall be prohibited.
Behavior Targeting Others	The following behavior targeting others shall be prohibited: <ol style="list-style-type: none">1. Threatening another person, including a student or employee;2. Intentionally, knowingly, or negligently causing physical harm to any person;3. Engaging in conduct that constitutes harassment, sexual assault, bullying, or dating violence, stalking, or bullying directed

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toward another person, including a student or employee; [See DIA series, FFD series, and FFE as appropriate]

4. Hazing with or without the consent of a student; [See FLBC]
5. Initiations by organizations that include features that are dangerous, harmful, or degrading to the student, a violation of which also renders the organization subject to appropriate discipline; and
6. Endangering the health or safety of members of the College District community or visitors to the premises.

Property

The following behavior regarding property shall be prohibited:

1. Intentionally, knowingly, or negligently defacing, damaging, misusing, or destroying College District property or property owned by others;
2. Stealing from the College District or others; and
3. Theft, sabotage, destruction, distribution, or other use of the intellectual property of the College District or third parties without permission.

Directives

Failure to comply with directives given by College District personnel, and failure to provide identification when requested to do so by College District personnel shall be prohibited.

Tobacco and E-cigarettes

Possession or use of tobacco products or e-cigarettes on College District property without authorization or outside of designated areas shall be prohibited. [See FLBD] ~~"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:~~

- ~~1. A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and~~
- ~~2. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.~~

Misuse of
Technology

The following behavior regarding misuse of technology shall be prohibited:

1. Violating policies, rules, or agreements signed by the student regarding the use of technology resources;

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(LOCAL)

2. Attempting to access or circumvent passwords or other security-related information of the College District, students, or employees or uploading or creating computer viruses;
3. Attempting to alter, destroy, disable, or restrict access to College District technology resources including but not limited to computers and related equipment, College District data, the data of others, or other networks connected to the College District's system without permission;
4. Using the ~~internet~~Internet or other electronic communications to threaten College District students, employees, or volunteers;
5. Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal;
6. Using ~~email~~email or websites to engage in or encourage illegal behavior or threaten the safety of the College District, students, employees, or visitors; and
7. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten the safety of the College District, students, employees, or visitors.

Dishonesty

The following behavior regarding dishonesty shall be prohibited:

1. Scholastic dishonesty, as defined above;
2. Making false accusations or perpetrating hoaxes regarding the safety of the College District, students, employees, or visitors;
3. Intentionally or knowingly providing false information to the College District; and
4. Intentionally or knowingly falsifying records, passes, or other College District-related documents.

Gambling and Other
Conduct

Gambling or engaging in any other conduct that College District officials might reasonably believe will substantially disrupt the College District program or incite violence shall be prohibited.

Discipline

A student shall be subject to discipline, including suspension, in accordance with FM and FMA if the student violates this policy:

1. While on College District premises;
2. While attending a College District activity; or

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(LOCAL)

3. While elsewhere if the behavior adversely impacts the educational environment or otherwise interferes with the College District's operations or objectives.

Publication

The student conduct rules contained in this policy and any other conduct rules of the College District developed by the College President shall be published in the student handbook.

Requests for public information shall be made to the College District by one of the following methods:

1. Hand delivery;
2. U.S. mail to 3800 Charco Rd, Beeville, TX 78102; or
3. Email at tpia@coastalbend.edu.

**Suspension of
Public Information
During Catastrophe**

In the event a catastrophe, as defined by law, impacts the College District, the Board shall suspend the applicability of the Texas Public Information Act to the College District for the time permitted by law and provide the required notices to the attorney general and the public. The Board shall extend an initial suspension period as necessary in accordance with law. [See GCB(LEGAL)]

**Charging for
Personnel Time**

In addition to other labor charges permitted by, and in accordance with law, the College District shall charge a requestor for additional personnel time spent producing information for the requestor after College District personnel have collectively spent:

1. Thirty-six hours of time during the College District's fiscal year; or
2. Fifteen hours of time during a one-month period.

Note: For expression and use of College District facilities and distribution of literature by students and registered student organizations, see FLA. For expression and use of College District facilities by employees and employee organizations, see DGC. For use of the College District's internal mail system, see CHE.

Use of College District Facilities

The grounds and facilities of the College District shall be made available to members of the College District community and community organizations, including College District support organizations, when such use is for educational, recreational, civic, or social activities and the use does not conflict with use by, or any of the policies and procedures of, the College District.

~~[For use by employees or employee organizations, see DGD. For use by students and registered student organizations, see FLAA.]~~

Requests

To request permission to meet ~~in a~~ College District ~~facilities~~~~premises~~, interested community members or organizations shall file a written request with the ~~College President or designee~~ College ~~President or designee~~ in accordance with administrative procedures.

The community members or 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

Requests for community use of College District facilities shall be considered on a first-come, first-served basis.

The ~~College President or designee~~ College ~~President or designee~~ 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, ~~ideological, academic viewpoint~~, or other content of the speech likely to be associated with the community members' or 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 subject to a sanction [see Violations of Policy, below] prohibiting the use of the facility;

3. 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;
4. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
5. The proposed activity would disrupt or disturb the regular academic program; or
6. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property.

*Common
Outdoor Area
Exception*

Common outdoor areas are traditional public forums and are not subject to the approval procedures. Community members and organizations may engage in expressive activities in common outdoor areas, unless:

1. The person's conduct is unlawful;
2. The 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;
3. The use would materially or substantially disrupt or disturb the regular academic program; or
4. The use would result in damage to or defacement of property.

For-Profit Use

The College District shall not permit individuals or for-profit organizations to use its facilities for financial gain; however, the College District shall permit private academic instruction, as well as public performances or presentations so long as no admission fee is charged, when these activities do not conflict with College District use or with this policy.

Nonprofit Use

The College District shall permit individuals and nonprofit organizations to use its facilities for financial gain when these activities do not conflict with school use or with this policy.

*Campaign-
Related Use*

Except to the extent a College District facility is used as an official polling place, College District facilities shall not be available for use by individuals or groups for political advertising, campaign communications, or electioneering, as those terms are used in state law.

*No Approval
Required*

No approval shall be required for nonschool-related recreational use of the College District's unlocked, outdoor recreational facilities, such as the track, tennis courts, and the like, when the facili-

COMMUNITY EXPRESSION AND USE OF COLLEGE DISTRICT FACILITIES

GD

(LOCAL)

	ties are not in use by the College District or for another scheduled purpose.
<i>Written Notice If Request Rejected</i>	The College President or designee shall provide the applicant a written statement of the grounds for rejection if a request is denied.
Emergency Use	In case of emergencies or disasters, the College President may authorize the use of College District facilities by civil defense, health, or emergency service authorities.
Repeated Use	The College District shall permit repeated use by any community member or organization in accordance with administrative procedures.
<i>Exception</i>	Any limitations on repeated use by a community member or organization shall not apply to any group or organization when the primary participants in the activities are College District students, faculty, or staff.
Scheduling	Academic and extracurricular activities sponsored by the College District shall always have priority when any use is scheduled. The College President or designee shall have authority to cancel a scheduled use by a community member or organization if an unexpected conflict arises with a College District activity.

Use Agreement Any community member or organization approved for a nonschool use of College District facilities shall be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations, and acknowledging that the College District is not liable for any personal injury or damages to personal property related to the nonschool use.

Fees for Use A community member or organization authorized to use College District facilities shall be charged a fee for the use of designated facilities.

The Board shall establish and publish a schedule of fees based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.

Exception Fees shall not be charged when College District buildings are used for public meetings sponsored by state or local governmental agencies.

Required Conduct Community members and organizations using College District facilities shall:

1. Conduct business in an orderly manner;
2. Provide identification when requested to do so by a College District representative;
3. Abide by all laws, policies, and procedures, including, but not limited to, those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products or e-cigarettes on College District property; [See CHF and GDA]
4. Make no alteration, temporary or permanent, to College District property without prior written consent from the College President; and
5. Be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the College District for the cost of any such repairs.

Distribution of Literature Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any community member or organization, including a College District support organization except in accordance with this policy.

The College District shall not be responsible for, nor shall the College District endorse, the contents of any ~~materials~~ ~~nonschool literature~~ distributed by a community member or organization.

~~[See CHE regarding use of the College District's internal mail system and FLA regarding distribution of literature by students and registered student organizations]~~

Limitations on Content

~~Materials~~ ~~Nonschool literature~~ shall not be distributed by a community member or organization on College District property if:

1. The materials are obscene;
2. The materials contain defamatory statements about public figures or others;
3. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action;
4. The materials are considered prohibited harassment [see DIA series and FFD series];
5. The materials constitute unauthorized solicitation [see Use of College District Facilities, above]; or
6. The materials infringe upon intellectual property rights of the College District [see CT].

Time, Place, and Manner Restrictions

~~The College President shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed by community members or organizations to students or others at College District facilities.~~

Distribution of the ~~materials~~ ~~nonschool literature~~ shall be conducted in a manner that:

1. Is not disruptive [see FLB];
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property;
4. Does not coerce, badger, or intimidate a person;
5. Does not interfere with the rights of others; and
6. Does not violate local, state, or federal laws or College District policies and procedures.

The distributor shall clean the area around which the literature was distributed of any materials literature that were was discarded or leftover.

The College President or designee shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by community members or organizations to others in College District facilities and in areas that are not considered common outdoor areas.

Posting of Signs

For the purposes of this policy, "sign" shall be defined as a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; and "posting" shall be defined as any means used for displaying a sign.

No signs may be posted on College District property by a community member or organization unless the posting qualifies as a permitted campaign-related use or is in a common outdoor area subject to administrative procedures.

Exception

A College District support organization may post a sign in College District facilities with prior approval of the College President or designee College President or designee in accordance with the procedures developed for that purpose.

Identification

A community member or organization distributing materials on campus shall provide identification when requested to do so by a College District representative.

Violations of Policy

Failure to comply with this the policy and associated procedures regarding community use of College District facilities or distribution of literature shall result in appropriate administrative action, including but not limited to, the suspension of the individual's or organization's use of College District facilities and the confiscation of non-conforming materials.

Interference with Expression

Faculty members, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures. [See DH, FM, and FMA]

Appeals

Decisions made by the administration in accordance with this policy may be appealed in accordance with GB(LOCAL), DGBA(LOCAL), and FLD(LOCAL) as applicable.

Publication

This policy and associated procedures must be posted on the College District's website and distributed in the employee and student handbooks and other appropriate publications.)-

CONDUCT ON COLLEGE DISTRICT PREMISES

(LOCAL)

Withdrawal of Consent to Remain on Campus

In accordance with law, during a period of disruption, the [College President](#) or designee may notify a person that consent to remain on a College District campus or facility has been withdrawn for no longer than 14 days if there is reasonable cause to believe that the person willfully disrupted the orderly operation of the College District and that his or her presence on College District property will constitute a substantial and material threat to the orderly operation of the College District.

Hearing Procedures

A party from whom consent has been withdrawn may request a hearing on the withdrawal to be held in accordance with law.

Appeal

The person may appeal the outcome of the hearing through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]

Tobacco and E-cigarettes

The College District prohibits the use of tobacco products and e-cigarettes on College District property, in College District vehicles, and at College District-related activities, unless authorized by the [College President or designee](#). [See FLBD]

~~"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:~~

- ~~1. A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and~~
- ~~2.1. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.~~



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 6C

AGENDA TOPIC: Consideration and Possible Action to Approve Texas Association of School Boards (TASB) Local Policy Update 38 as Recommended by the College President

ATTACHMENT: DIAA (LOCAL): Freedom from Discrimination, Harassment, and Retaliation - Sex and Sexual Violence

FFDA (LOCAL): Freedom from Discrimination, Harassment, and Retaliation - Sex and Sexual Violence

Policy BE (LEGAL) (LOCAL): Policy and Bylaw Development

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS: Per TASB: Adoption of DIAA(LOCAL) and FFDA(LOCAL) from Update 38 is recommended by August 1st: Update 38 includes important changes to policies DIAA(LOCAL) and FFDA(LOCAL) to address the state law requirement that institutions of higher education adopt a sexual harassment, assault, dating violence, and stalking policy by August 1, 2020. It's recommended that your college adopt the changes recommended by TASB to timely comply with state law and then consider any locally-developed changes to the policies along with the Title IX changes that will be recommended during Update 39.

RECOMMENDED ACTION:

Recommend approval of TASB Local Policy Update 38 as Recommended by the College President.

Note: This policy addresses employee complaints of sex and gender discrimination, sexual harassment, sexual violence, [dating violence](#), [stalking](#), and retaliation. For legally referenced material relating to this subject matter, see DAA(LEGAL). For sex discrimination, sexual harassment, sexual violence, [dating violence](#), [stalking](#), 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.

Definitions

Employee

Discrimination

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

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; [sexual assault as defined by law](#); offensive or derogatory language directed at another person’s gender identity; and other sexually motivated conduct, communication, or contact.

<u>Dating Violence</u>	<p><u>“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the Clery Act definition of domestic violence [see FA].</u></p>
<u>Stalking</u>	<p><u>“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or suffer substantial emotional distress.</u></p> <p><u>For the purposes of this definition:</u></p> <ol style="list-style-type: none"><u>1. “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.</u><u>2. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.</u>
Retaliation	<p>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.</p> <p>An employee who intentionally makes a false claim, offers false statements, participates in prohibited conduct, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline.</p>
Examples	<p>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.</p>
Prohibited Conduct	<p>In this policy, the term “prohibited conduct” includes discrimination, <u>sexual harassment, dating violence, stalking,</u> and retaliation as described<u>defined</u> by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>
<u>Confidential Employee</u>	

**Reporting
Procedures**

Reporting by
Alleged Victim

A “confidential employee” is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source.

A victim of prohibited conduct has the right to report the incident to the College District and to receive a prompt and equitable resolution of the report.

An employee who believes that he or she has experienced prohibited conduct may report the alleged acts to his or her immediate supervisor, to the Title IX coordinator, or to the ~~College President~~ College President or designee. Additionally, the employee may report electronically through the College District’s website.

A report against the ~~College President~~ 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.

A victim of a crime has the right to choose whether to report the crime to law enforcement, to be assisted by the College District in reporting the crime to law enforcement, or to decline to report the crime to law enforcement.

It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

Reporting by Other
Employees

Any employee who believes that another employee has experienced prohibited conduct, regardless of when or where the incident occurred, shall immediately report the alleged acts to the Title IX coordinator. Additionally, the employee may report to the ~~College President or designee.~~ College President or designee.

A report against the ~~College President~~ College President must also 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.

Exceptions

Disclosure at
Event

A person who received the information solely from a disclosure at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational institution or by an employee organization affiliated with the institution is not required to report the prohibited conduct.

Absent the employee’s consent, ~~a person who holds a professional license requiring confidentiality, such as a counselor, or unless re-~~

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

DIAA
(LOCAL)

Employee Subject to Confidentiality Rules	<p>quired who is supervised by law, such a confidential employee person shall only be required to disclose the type of incident reported and. The person may not disclose information that would violate the employee's expectation of privacy. <u>If multiple confidential employees receive information about the same alleged incident, then only one report disclosing the type of incident must be submitted.</u></p>
Prior Report	<p><u>A person who has either learned of an incident of prohibited conduct during the course of the College District's review or process, or has confirmed with the person or office overseeing the review or process that the incident has been previously reported, is not required to report the prohibited conduct.</u></p>
Definition of College District Officials Title IX Coordinator	<p>For the purposes of this policy, College District officials are the Title IX coordinator and the <u>College President</u>College President.</p> <p>Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:</p> <p>Name: <u>Hector Villarreal</u>Hector Villarreal</p> <p>Position: <u>Alice Site Director</u> Professor of Criminal Justice</p> <p>Address: <u>704 Coyote Trail, Alice, TX 78332</u>704 Coyote Trail, Alice, TX 78332</p> <p>Telephone: (361) 664-2981 ext: 3030</p> <p>Email: <u>hwillarreal@coastalbend.edu</u></p> <p>Website: <u>http://coastalbend.edu/titleix/</u></p>
Other Anti-discrimination Laws	<p><u>The College President</u>The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.</p>
Responsible Employees	<p><u>All employees, with the exception of confidential employees, are designated as responsible employees for purposes of compliance with Title IX.</u></p>
Timely Reporting	<p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.</p> <p>A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct.</p>
DATE ISSUED: <u>5/27/2020</u> 12/17/2019 UPDATE <u>3837</u> DIAA(LOCAL)-AJC	95

**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.

Initial Assessment

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 but may constitute a violation of other College District rules or regulations, the College District official shall refer the complaint for consideration under the appropriate policy.

~~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.

Request Not to
Investigate

The alleged victim may request that the College District not investigate the allegations. If the victim requests that the allegations not be investigated, in deciding whether to initiate the investigation, the College District must consider the factors described by law and any other factors the College District considers relevant.

The College District must promptly notify the alleged victim of the decision regarding whether it will conduct the investigation. If the College District decides not to investigate the allegations, the College District must take reasonable steps to protect the health and safety of the College District community.

Interim Action

If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct and protect the victim from retaliation prior to the completion of the investigation. Examples of possible accommodations and supportive measures include work accommodations, counseling, and health services.

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.

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, consistent with law, 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.

Retaliation

The College District prohibits retaliation against an employee who makes a claim alleging to have experienced prohibited conduct, or a person who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.

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.

Failure to Report and False Claims

An employee who fails to make a required report or an employee or student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.

Appeal

A party who is dissatisfied with the outcome of the investigation may appeal through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]

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

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

DIAA
(LOCAL)

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 [on a dedicated page accessible through a clear link on the homepage](#), 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.

Note: This policy addresses complaints of sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation targeting students, including claims against other students, employees, and third parties. For legally referenced material relating to discrimination, harassment, and retaliation, see FA(LEGAL). For sex discrimination, sexual harassment, sexual assault, [dating violence](#), [stalking](#), and retaliation targeting employees, see DIAA.

**Statement of
Nondiscrimination**

The College District prohibits all forms of sexual and gender-based misconduct, including sexual harassment, sexual violence (non-consensual sexual contact and nonconsensual sexual intercourse), sexual assault, sexual exploitation, domestic violence, dating violence, stalking, and aiding or facilitating the commission of a violation of this policy.

The College District also prohibits hostile environment harassment, which includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or gender.

Sexual and gender-based misconduct can occur between people of different sex or gender or of the same sex or gender.

Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

Definitions
Discrimination

Discrimination against a student is defined as conduct directed at a student on the basis of sex or gender that adversely affects the student.

Sexual Harassment
By an Employee

Sexual harassment of a student by a College District employee includes 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. A College District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it limits or denies the student's ability to participate in or benefit from the College District's educational program.

By Others

Sexual harassment of a student, including harassment committed by another student, employee, or third party, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated

physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it limits or denies a student's ability to participate in or benefit from the College District's educational program.

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 of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault as defined by law; sexual battery; sexual coercion; and other sexually motivated conduct, communications, or contact.

Physical contact not reasonably construed as sexual in nature is not sexual harassment.

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

Examples Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Dating Violence "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the Clery Act definition of domestic violence.

<p><u>Stalking</u></p>	<p><u>“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress.</u></p>
	<p><u>For the purposes of this definition:</u></p>
	<ol style="list-style-type: none"><li data-bbox="552 483 1429 714">1. <u>“Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.</u><li data-bbox="552 714 1429 798">2. <u>“Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.</u>
<p>Retaliation</p>	<p>The College District prohibits retaliation by a student, College District employee, or third party against a student alleged to have experienced discrimination or harassment or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or otherwise participates in an investigation.</p>
<p>Examples</p>	<p>Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.</p>
<p>False Claims</p>	<p>A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding discrimination or harassment shall be subject to appropriate disciplinary action.</p>
<p>Prohibited Conduct</p>	<p>In this policy, the term “prohibited conduct” includes discrimination, harassment, <u>dating violence, stalking, and retaliation as de-</u> <u>scribed/defined</u> by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>
<p><u>Confidential Employee</u></p>	<p><u>A “confidential employee” is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source.</u></p>
<p>Reporting Procedures Student Report</p>	<p><u>A victim of prohibited conduct has the right to report the incident to the College District and to receive a prompt and equitable resolution of the report.</u></p>

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to the Title IX coordinator or another employee or submit the report electronically through the College District's website. The submission of an anonymous electronic report may impair the College District's ability to investigate and address the prohibited conduct.

A victim of a crime has the right to choose whether to report the crime to law enforcement, to be assisted by the College District in reporting the crime to law enforcement, or to decline to report the crime to law enforcement.

It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

Exception

Absent consent or unless required by law, a student designated in administrative regulations as a student advocate to whom another student may speak confidentially concerning prohibited conduct may not disclose any communication made by the other student.

Employee Report

Any College District employee who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct, regardless of when or where the incident occurred, shall immediately notify the Title IX coordinator and shall take any other steps required by this policy. Additionally, the employee may report to the College President or designee.

A report against the College President must also 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.

Exceptions

Disclosure at
Event

A person who received the information solely from a disclosure at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational institution or by a student organization affiliated with the institution is not required to report the prohibited conduct.

Employee
Subject to
Confidentiality
Rules

~~Absent the student's consent, or unless required a person who holds a professional license requiring confidentiality, such as a counselor, who is supervised by law, such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential employeesource shall only be required to disclose the type of incident reported and. The person may not disclose information that would violate the student's expectation of privacy. If multiple confidential employees receive information about the same alleged incident, then only one report disclosing the type of incident must be submitted.~~

<p><u>Prior Report</u></p>	<p><u>A person who has either learned of an incident of prohibited conduct during the course of the College District's review or process, or has confirmed with the person or office overseeing the review or process that the incident has been previously reported, is not required to report the prohibited conduct.</u></p>
<p>Definition of College District Officials</p>	<p>For the purposes of this policy, College District officials are the Title IX coordinator and the College President.</p>
<p>Title IX Coordinator</p>	<p>Reports of discrimination based on sex, including sexual harassment and gender-based harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:</p> <p>Name: Hector VillarrealHector Villarreal</p> <p>Position: Alice Site Director Professor of Criminal Justice</p> <p>Address: 704 Coyote Trail, Alice, TX 78332704 Coyote Trail, Alice, TX 78332</p> <p>Telephone: (361) 664-2981 ext: 3030</p> <p>Email: hvillarreal@coastalbend.edu</p> <p>Website: http://coastalbend.edu/titleix/</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><u>Responsible Employees</u></p>	<p><u>All employees, with the exception of confidential employees, are designated as responsible employees for purposes of compliance with Title IX.</u></p>
<p>Alternative Reporting Procedures</p>	<p>A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator, may be directed to the College President.</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 shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct.</p>

Investigation of the Report

Initial Assessment

The College District may request, but shall not require, 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 notify the parties to the complaint of the allegations and the formal and informal options for resolution of the complaint.

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

Request Not to Investigate

The alleged victim may request that the College District not investigate the allegations. If the victim requests that the allegations not be investigated, in deciding whether to initiate the investigation, the College District must consider the factors described by law and any other factors the College District considers relevant.

The College District must promptly notify the alleged victim of the decision regarding whether it will conduct the investigation. If the College District decides not to investigate the allegations, the College District must take reasonable steps to protect the health and safety of the College District community.

Informal Resolution

If the parties voluntarily agree to participate in informal resolution of the complaint, the College District official shall determine if informal resolution is appropriate for the complaint. If the official determines that informal resolution is appropriate, then the official may facilitate that resolution. If the official does not determine informal resolution to be appropriate, then the complaint will be subject to the formal resolution process.

Formal Resolution

If any of the parties decline to participate in informal resolution of the complaint or the College District official finds informal resolution of the complaint to be inappropriate, the College District official shall authorize or undertake an investigation, except as provided below at Criminal Investigation.

Interim Action

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College District shall promptly take interim action calculated to address prohibited conduct and protect the victim from retaliation prior to the completion of the College District's investigation. Examples of possible accommodations and supportive measures include academic

College District Investigation	<p><u>accommodations, housing and dining modifications, counseling, and health services.</u></p> <p>The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. The investigator shall have received appropriate training regarding the issues related to the complaint and the relevant College District's policy and procedures.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	<p>If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation.</p>
Unfounded Allegations	<p>If it is determined as a result of the initial investigation process that the student or student organization did not commit the alleged policy violation or reported misconduct, the conduct case shall be dismissed as unfounded. The student or student organization shall be provided written notice of the dismissal by College District email or hand-delivered letter.</p> <p>The written notification to the student or student organization to attend the student conduct administrative conference shall include the following:</p> <ol style="list-style-type: none">1. Inform the student or student organization about the scheduled administrative conference with the appointed deputy Title IX coordinator, who shall serve as the conference administrator. The notice shall include the date, time, and location specified.2. Inform the student or student organization that the student conduct administrative conferences do not constitute a legal proceeding.3. Advise the student or student organization of their rights as follows:

- a. The student or student organization shall have the right to be assisted during the student conduct administrative conference by an adviser chosen by the student or student organization. The adviser must only speak to the student or student organization during the student conduct proceedings and shall not directly address the deputy Title IX coordinator or otherwise directly participate in the student conduct administrative conference.
- b. The student or student organization shall have the right to request copies of any supporting documentation collected by the College District to support the reported policy violations or misconduct and offer supporting documentation.
- c. The student or student organization shall have the right to know the names of witnesses who may have been interviewed and whose statements will be offered as supporting documentation of wrongdoing against the student or student organization.
- d. The student or student organization shall have the right to know the proposed sanction or range of disciplinary sanctions that may be imposed.

The student or student organization shall have the right to request a final appeal to the College President.

Failure to Appear
for Conference

If the student or student organization fails to appear without good cause for the student conduct administrative conference, the conduct proceedings shall be held, and any resulting disciplinary sanctions shall be imposed without the student or student organization present. No other opportunity shall be provided for the student or student organization.

Evidentiary
Standard

A preponderance of evidence means a greater weight of evidence or more likely than not. Even in cases that make reference to federal, state, or local criminal statutes or ordinances, the burden of proof in College District conduct proceedings remains as a preponderance of evidence.

**Concluding the
Investigation**

Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the College District to delay its investigation, the investigation should be completed within 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.

	<p>The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.</p>
Notification of the Outcome	<p>The College District shall provide written notice of the outcome, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the victim and the person against whom the complaint is filed. The parties shall be given the opportunity to respond to the report.</p>
College District Action	<p>The College District shall determine, based on the results of the investigation, whether each individual allegation of misconduct occurred using a preponderance of the evidence standard. 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, in accordance with College District policy and procedures. [See FM and FMA]</p>
Prohibited Conduct	
<i>Corrective Action</i>	<p>Examples of corrective action may include:</p> <ul style="list-style-type: none">• Providing a training program for those involved in the complaint;• Providing a comprehensive education program for the College District community;• Providing counseling for the victim and the student who engaged in prohibited conduct;• Permitting the victim or student engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;• Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;• Involving students in efforts to identify problems and improve the College District climate;• Increasing staff monitoring of areas where prohibited conduct has occurred; and• Reaffirming the College District's policy against discrimination and harassment.
Exception	<p>The College District shall minimize attempts to require a student who complains of sexual harassment to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner.</p>

<p>Improper Conduct</p>	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.</p>
<p>Confidentiality</p>	<p>To the greatest extent possible, <u>consistent with law</u>, 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.</p>
<p><u>Retaliation</u></p>	<p><u>The College District prohibits retaliation against a student who makes a claim alleging to have experienced prohibited conduct or a person who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.</u></p>
<p><u>Examples</u></p>	<p><u>Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.</u></p>
<p><u>Failure to Report and False Claims</u></p>	<p><u>An employee who fails to make a required report or a student or employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.</u></p>
<p>Appeal</p>	<p>A party who is dissatisfied with the outcome of the investigation may appeal through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members] A party shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights.</p>
<p>Records Retention</p>	<p>Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]</p>
<p>Access to Policy, Procedures, and Related Materials</p>	<p>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</p>

the College District's website [on a dedicated page accessible through a clear link on the homepage](#), 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 a student who makes a report.



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
June 16, 2020**

AGENDA MINUTE ORDER NO. 6D

AGENDA TOPIC: Consideration and Possible Action to Approve Revisions to CHA (LOCAL)

ATTACHMENT: CHA (LOCAL) Site Management Security

Policy BE (LEGAL) (LOCAL): Policy and Bylaw Development

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS: The proposed amendment pertains to Board policy CHA (LOCAL), the establishment and maintenance of Coastal Bend College's Police Department.

RECOMMENDED ACTION:

Recommend approval of CHA (LOCAL) as revised.

**College District
Police Department**

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a College District police department and shall employ and commission peace officers.

Jurisdiction

The jurisdiction of College District peace officers shall include all counties in which property is owned, leased, rented, or otherwise under the control of the College District.

Police Authority

While within the jurisdiction set out in this policy, peace officers employed and commissioned by the College District shall have all the powers, privileges, and immunities of peace officers. College District peace officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the College District and protect the property of the College District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, College District police officers may serve search warrants in connection with College District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce College District policies on College District property or at College District functions.
6. Investigate violations of College District policy, rules, and regulations as requested by the College President and participate in administrative hearings concerning the alleged violations.
7. Carry weapons as directed by the chief of police and approved by the College President.
8. Carry out all other duties as directed by the chief of police or College President.

Temporary Assignment	College District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.
Limitations on Outside Employment	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and College President or designee.
Relationship with Outside Agencies	The College District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The chief of police and the College President or designee shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.
Use of Force	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
High-Speed Pursuit	Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
Video Monitoring	Video equipment shall be used on a College District police car for safety purposes whenever the flashing lights on a car are in use.
Access to Recordings	Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law.
Officer Training	All College District officers shall receive at least the minimum amount of education and training required by law.
Department Regulations Manual	To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the College President or designee shall review the manual annually and make any appropriate revisions.
Racial Profiling	The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Peace of-

Officers employed by the College District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.

Complaints

Complaints against a College District police officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide to the police officer a copy of the complaint. [See COMPLAINTS AGAINST PEACE OFFICER at CHA(LEGAL)]

Appeals regarding this complaint process shall be filed in accordance with DGBA, FLD, or GB, as appropriate.



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
June 16, 2020**

AGENDA MINUTE ORDER NO. 6E

AGENDA TOPIC: Consideration and Possible Action to Approve Revisions to GB (LOCAL)

ATTACHMENT: GB (LOCAL) Public Complaints and Hearings

Policy BE (LEGAL) (LOCAL): Policy and Bylaw Development

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS: Proposed update to GB (LOCAL) would align the process for grievances filed by members of the public with the procedures for employee and student complaints.

RECOMMENDED ACTION:

Recommend approval of GB (LOCAL) as revised.

Guiding Principles	
Informal Process	<p>The Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address the concerns.</p> <p>Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</p>
Formal Process	<p>An individual may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
Freedom from Retaliation	
Complaints	<p>Neither the Board nor any College District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.</p> <p>In this policy, the terms “complaint” and “grievance” shall have the same meaning.</p>
Other Complaint Processes	<p>Complaints from the public shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GB after the relevant complaint process:</p> <ol style="list-style-type: none">1. Complaints concerning a commissioned peace officer who is an employee of the College District. [See CHA]2. Complaints concerning the withdrawal of consent to remain on campus. [See GDA]
General Provisions	
Filing	<p>Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the</p>

appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The College District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to appear at a scheduled conference, the College District may hold the conference and issue a decision in the individual's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the individual's email address of record, or sent by U.S. Mail to the individual's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean College District business days. In calculating time lines under this policy, the day a document is filed is "day zero." The following day is "day one."

Representative

"Representative" shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.

The individual may designate a representative through written notice to the College District at any level of this process. If the individual designates a representative with fewer than three days' notice to the College District before a scheduled conference or hearing, the College District may reschedule the conference or hearing to a later date, if desired, in order to include the College District's counsel. The College District may be represented by counsel at any level of the process.

**Consolidating
Complaints**

Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the College District.

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

If the only administrator who has authority to remedy the alleged problem is the College President or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

The appropriate administrator shall investigate as necessary and schedule a conference with the individual within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any relevant documents or information.

Level Two

If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the College President or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the individual at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Level Two administrator shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Level Two administrator may set reasonable time limits for the conference.

The Level Two administrator shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Level Two administrator believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, he or she may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the College District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The College President or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The College President or designee shall provide the Board with the record of the Level Two complaint. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The written response issued at Level Two and any attachments.
3. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

The College District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

The presiding officer may set reasonable time limits and guidelines for the presentation including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the individual or his or her representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

Effective Date This policy shall be effective as of the adoption date, April 21, 2020.



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 6F

AGENDA TOPIC: Consideration and Possible Action to appoint Mr. Gomez and Mr. Saenz to the Bee Development Authority Board of Directors

ATTACHMENT:

Policy _____

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS:

Mr. Gomez and Mr. Saenz's terms on the Bee Development Authority are about to expire.

RECOMMENDED ACTION: Appoint Mr. Gomez and Mr. Saenz to be CBC representatives on the Bee Development Authority Board of Directors.



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 6G

AGENDA TOPIC: Consideration and Possible Action to Approve Amendments to the College District's current 2020 – 2021 Academic Calendar

ATTACHMENT: Amended CBC 2020-2021 Academic Calendar

- Policy EA (LOCAL) Academic Year and Calendar
- Law or Rule _____
- Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

- Coastal Bend College will offer a quality educational experience for all students
- Coastal Bend College will provide comprehensive student services to increase overall student success
- Coastal Bend College will engage students and staff in support of our communities
- Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS: Each fall, the Board shall approve the College District's academic calendar for the subsequent academic year. The calendar shall include dates for orientation, registration, holidays, final examinations, and the end of each semester and summer term. As necessary, the Board may amend the calendar. The following amendments to the current 2020-2021 academic calendar are being proposed: #1. Correct the following error

listed under the **FALL 2020** term, “Spring 2020 Registration Begins,” should read “Spring **2021** Registration Begins” #2. Add a Wintermester to the 2020-2021 academic calendar. The proposed Wintermester shown below was approved by the Academic Calendar Committee on 05/28/2021 by majority vote.

Registration Begins	October
Classes Begin	December 11
Drop date for Non-payment of Tuition & Fees	December 11
Last Day for Schedule Changes (ADD/DROP)	December 11
Census Day	December 14
Last Day to Drop Classes with a “W”	December 15
Holiday	December 24-25
Holiday	January 1
Classes End/Final Exams	January 5
Grades Due in Registrar’s Office	January 6

RECOMMENDED ACTION: Approve the proposed amendments to the 2020 – 2021 academic calendar.

Academic Calendar

2020-2021

Board Approved 12/17/19

FALL 2020

Fall 2020 Registration Begins	March
Payment Deadline for Fall Registration Online Only	August 16
Drop Date for Non-Payment of Tuition and Fees	August 17
Faculty Resumes Work	August 17
Last Day for Fall Registration	August 21
Final Payment Deadline for Fall Registration Online Only	August 23
Drop Date for Non-payment of Tuition & Fees	August 24
Classes Begin {Monday}	August 24
Last Day for Schedule Changes {ADD/DROP}	August 28
Final payment Online Only	August 30
Final Drop Date	August 31
labor Day Holiday	September 7
Submission of Non-Attendance	September 8-11
Census Date	September 14
Last Day to Apply for December Graduation	October 12
Mid-term Grades Due	October 19
Spring 2021 Registration Begins	October
Last day to Drop Classes with a "W" 12:00 Noon	November 6
Thanksgiving Holiday	November 25-27
Last Day for Day & Evening Classes	December 3
Final Exams	December 4-10
Dorm Close {by 5:00 pm}	December 11
All Grades Due in Registrar's Office 12:00 Noon	December 11
Fall Graduation	December 15
Nurse Pinning	December 15
Faculty Winter Break Leave (begins 5:00 p.m.)	December 15
Administration and Staff Winter Break Leave (begins 5:00 pm)	December 18

WinterMester 2020

Registration Begins	October
Drop date for Non-payment of Tuition & Fees	December 11
Classes Begin	December 11
Last Day for Schedule Changes (ADD/DROP)	December 11
Census Date	December 14
Last Day to Drop Classes with a "W"	December 15
Holiday	December 24-25
Holiday	January 1
Classes End/Final Exams	January 5
Grades Due in Registrar's Office	January 6

*CBC's web-based registration system at www.coastalbend.edu

**Fridays of each month are reserved for college related meetings

Student Deadlines/Significant Dates in Red Holidays in Green

Academic Calendar

2020-2021

Board Approved 12/17/19

Fall 2020

First 8 Week Flex Term

Fall 2020 First 8 Week Flex Term Registration Begins	March
Payment Deadline for Fall 2020 First 8 Week Flex Term Registration Online Only	August 16
Drop Date for Non-Payment of Tuition & Fees	August 17
Last Day for Fall 2020 First 8 Week Flex Term Registration	August 21
Final Payment Deadline for Fall 2020 First 8 Week Flex Term Registration Online Only	August 23
Final Drop Date for Non-payment of Tuition & Fees	August 24
Classes Begin (Monday)	August 24
Last Day for Schedule Changes	August 28
Final payment Online Only	August 30
Final Drop	August 31
Submission of Non-Attendance by 12:00 Noon	September 1
Census Date	September 1
Labor Day Holiday	September 7
Mid-term Grades Due	September 21
Last day to Drop Classes with a "W" 12:00 Noon	October 2
Final Exams	October 12-16
All Grades Due in Registrar's Office 12:00 Noon	October 19

Second 8 Week Flex Term

Fall 2020 Second 8 Week Flex Term Registration Begins	March
Payment Deadline for Fall 2020 Second 8 Week Flex Term Registration Online Only	October 11
Drop Date for Non-Payment of Tuition & Fees	October 12
Last Day for Fall 2020 Second 8 Week Flex Term Registration	October 16
Final Payment Deadline for Fall 2020 Second 8 Week Flex Term Registration Online Only	October 18
Final Drop Date for Non-Payment of Tuition & Fees	October 19
Classes Begin (Monday)	October 19
Last Day for Schedule Changes	October 23
Submission of Non-Attendance by 12:00 Noon	October 26
Census Date	October 27
Mid-term Grades Due	November 16
Last day to Drop Classes with a "W" 12:00 Noon	November 24
Thanksgiving Holiday	November 25-27
Final Exams	December 4-10
All Grades Due in Registrar's Office 12:00 Noon	December 11

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Student Deadlines/Significant Dates in Red Holidays in Green

Academic Calendar

2020-2021

Board Approved 12/17/19

Twelve Week Flex Term

Fall 2020 Twelve Week Flex Term Registration Begins
Payment Deadline for Fall 2020 Twelve Flex Term Registration Online Only
Drop Date for Non-Payment of Tuition & Fees
Last Day for Fall 2020 Twelve Week Flex Term Registration
Final Payment Deadline for Fall Twelve Week Flex Term Registration Online Only
Final Drop Date for Non-Payment of Tuition & Fees
Classes Begin (Monday)
Last Day for Schedule Changes
Submission of Non-Attendance by 12:00 Noon
Census Date
Mid-term Grades Due
Last day to Drop Classes with a "W" 12:00 Noon
Thanksgiving Holiday
Final Exams
All Grades Due in Registrar's Office 12:00 Noon

March
September 13
September 14
September 18
September 20
September 21
September 21
September 25
October 1
October 5
November 2
November 24
November 25-27
December 4-10
December 11

SPRING 2021

Spring 2021 Registration Begins
Administrative Offices Open
Payment Deadline for Spring Registration Online Only
Faculty Resumes Work
Drop Date for Non-Payment of Tuition and Fees
Final Payment Deadline for Spring Registration Online Only
Martin Luther King Holiday
Drop Date for Non-payment of Tuition & Fees
Classes Begin (Tuesday)
Last Day for Schedule Changes
Final payment Online Only
Final Drop
Submission of Non-Attendance
Last Day to Apply for May Graduation
Census Day
Fall 2021 Registration Begins
Spring Break
Mid-term Grades Due
Spring Holiday
Last Day to Drop Classes with a "W" 12:00 Noon
Last Day for Day and Evening Classes
Final Exams
All Grades Due in Registrar's Office 12:00 Noon
Annual Commencement

October
January 4
January 10
January 11
January 11
January 18
January 18
January 19
January 19
January 22
January 24
January 25
February 1-4
February 8
February 8
March
March 15-19
March 23
April 2-5
April 15
May 6
May 7-13
May 14
May 18-19

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Student Deadlines/Significant Dates in Red **Holidays In Green**

Academic Calendar

2020-2021

Board Approved 12/17/19

Spring 2021

First 8 Week Flex Term

Spring 2021 First 8 Week Flex Term Registration Begins	October
Payment Deadline for Spring 2021 First 8 Week Flex Term Registration Online Only	January 10
Drop Date for Non-Payment of Tuition & Fees	January 11
Last Day for Spring 2021 First 8 Week Flex Term Registration	January 15
Final Payment Deadline for Fall 2021 First 8 Week Flex Term Registration Online Only	January 18
Martin Luther King Holiday	January 18
Final Drop Date for Non-Payment of Tuition & Fees	January 19
Classes Begin (Tuesday)	January 19
Submission of Non-Attendance by 12:00 Noon	January 26
Census Date	January 27
Last Day for Schedule Changes	January 29
Mid-term Grades Due	February 15
Last day to Drop Classes with a "W" 12:00 Noon	February 22
Final Exams	March 5-11
All Grades Due in Registrar's Office 12:00 Noon	March 12

Second 8 Week Flex Term

Spring 2021 Second 8 Week Flex Term Registration	October
Payment Deadline for Spring 2021 Second 8 Week Flex Term Registration Online only	March 11
Drop Date for Non-Payment of Tuition & Fees	March 12
Spring Break	March 15-19
Last Day for Spring 2021 Second 8 Week Flex Term Registration Online	March 18
Final Payment Deadline for Spring 2021 Second 8 Week Flex Term Registration Online Only	March 21
Final Drop Date for Non-Payment of Tuition & Fees	March 22
Classes Begin (Monday)	March 22
Last Day for Schedule Changes	March 26
Submission of Non-Attendance by 12:00 Noon	March 29
Census Date	March 30
Spring Holiday	April 2-5
Mid-Term Grades Due	April 16
Last day to Drop Classes with a "W" 12:00 Noon	April 28
Final Exams	May 7-13
All Grades Due in Registrar's Office 12:00 Noon	May 14

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**Fridays of each month are reserved for college related meetings

Student Deadlines/Significant Dates in Red Holidays in Green

Academic Calendar

2020-2021

Board Approved 12/17/19

Twelve Week Flex Term

Spring 2021 Twelve Week Flex Term Registration Begins	October
Payment Deadline for Spring 2021 Twelve Week Flex Term Registration Online Only	February 7
Drop Date for Non-Payment of Tuition & Fees	February 8
Last Day for Spring 2021 Twelve Week Flex Term Registration	February 12
Final Payment Deadline for Spring 2021 Twelve Week Flex Term Registration Online Only	February 14
Final Drop Date for Non-Payment of Tuition & Fees	February 15
Classes Begin (Monday)	February 15
Last Day for Schedule Changes	February 19
Submission of Non-Attendance by 12:00 Noon	February 26
Census Date	March 1
Spring Break	March 15-19
Mid-term Grades Due	March 31
Spring Holiday	April 2-5
Last day to Drop Classes with a "W" 12:00 Noon	April 18
Final Exams	May 7-13
All Grades Due in Registrar's Office 12:00 Noon	May 14

MayMester 2021

Registration Begins	February
Payment Deadline for Maymester 2021 Registration Online Only	May 2
Drop Date for Non-Payment of Tuition & Fees	May 3
Final Payment for Maymester 2021 Registration Online Only	May 9
Final Drop Date for Non-payment of Tuition & Fees	May 10
Classes Begin	May 10
Last Day for Schedule Changes	May 10
Submission of Non-Attendance by 12:00 Noon	May 10
Census Day	May 11
Last Day to Drop Classes with a "W"	May 19
Classes End/Final Exams	May 28
Grades Due in Registrar's Office 5:00 pm	May 28
Memorial Day Holiday	May 31

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**Fridays of each month are reserved for college related meetings

Student Deadlines/Significant Dates in Red **Holidays in Green**

Academic Calendar

2020-2021

Board Approved 12/17/19

SUMMER SESSIONS 2021

Summer Session I

Summer Sessions 2021 Session I Registration begins	March
Last Day for Summer Session 2021 Session I Registration	May 27
Memorial Day Holiday	May 31
Payment Deadline for Summer Session 2021 Session I Registration Online Only	May 31
Classes Begin	June 1
Drop Date for Non-Payment of Tuition & Fees	June 1
Last Day for Schedule Changes	June 2
Submission of Non-Attendance by 12:00 Noon	June 3
Census Day	June 7
Last Day to Apply for Summer Graduation	June 14
Mid-Term Grades Due	June 14
Last Day to Drop Classes with a "W" 12:00 Noon	June 16
Last Day of Classes	July 7
Final Exams	July 8
Grades Due in Registrar's Office 12:00 Noon	July 12

Summer Session II

Summer Sessions 2021 Session II Registration begins	March
Last Day for Summer Session 2021 Session II Registration	July 8
Payment Deadline for Summer Session 2021 Session II Registration in person or Online	July 11
Drop Date for Non-Payment of Tuition & Fees	July 12
Classes Begin	July 12
Last Day for Schedule Changes	July 13
Submission of Non-Attendance by 12:00 Noon	July 14
Census Day	July 15
Mid-Term Grades Due	July 26
Last Day to Drop Classes with a "W" 12:00 Noon	July 28
Last Day of Classes	August 18
Final Exams	August 19
Grades Due in Registrar's Office 12:00 Noon	August 20

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**Fridays of each month are reserved for college related meetings

Student Deadlines/Significant Dates in Red Holidays In Green

Academic Calendar

2020-2021

Board Approved 12/17/19

9 Week Summer Session

Summer Sessions 2021 9 Week Session Registration begins	March
Last Day for Summer Session 2021 9 Week Session Registration	May 27
Memorial Day Holiday	May 31
Payment Deadline for Summer Session 2021 9 Week Session	Online May 31
Drop Date for Non-Payment of Tuition & Fees	June 1
Classes Begin	June 1
Last Day for Schedule Changes	June 2
Submission of Non-Attendance by 12:00 Noon	June 9
Census Day (9 Week Session)	June 10
Last Day to Apply for Summer Graduation	June 14
Mid-term Grades Due (9 Week Session)	July 1
Last Day to Drop 9 Week Classes with a "W" 12:00 Noon	July 6
Last Day of Classes for 9 Week Session	July 28
Final Exams for 9 Week Classes	July 29
Grades Due in Registrar's Office 12:00 Noon (9 Week Classes)	August 2

12 Week Summer Session

Summer Sessions 2021 12 Week Session Registration begins	March
Last Day for Summer Session 2021 12 Week Session Registration	May 27
Memorial Day Holiday	May 31
Payment Deadline for Summer Session 2021 12 Week Session	Online May 31
Drop Date for Non-Payment of Tuition & Fees	June 1
Classes Begin	June 1
Last Day for Schedule Changes	June 2
Last Day to Apply for Summer Graduation	June 14
Submission of Non-Attendance by 12:00 Noon	June 14
Census Day (12 Week Session)	June 15
Mid-term Grades Due (12 Week Session)	July 8
Last Day to Drop 12 Week Classes with a "W" 12:00 Noon	July 13
Last Day of Classes for 12 Week Session	August 18
Final Exams for 12 Week Classes	August 19
Grades Due in Registrar's Office 12:00 Noon (12 Week Classes)	August 20

*CBC's web-based registration system at www.coastalbend.edu

**Fridays of each month are reserved for college related meetings

Student Deadlines/Significant Dates in Red Holidays in Green



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 6H

AGENDA TOPIC: Consideration and Possible Action to Approve the Trusted Capital Group (TCG) Retirement Resolution

ATTACHMENT: Trusted Capital Group (TCG) Retirement Resolution

Policy _____

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

Coastal Bend College will offer a quality educational experience for all students

Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS:

Due to service ending with the "Standard," effective July 31, 2020. Trusted Capital Group (TCG) 408 Plan will be the new part-time retirement plan.

RECOMMENDED ACTION: Approve the TCG Retirement Resolution.

BOARD RESOLUTION

The Board of Trustees (the “Board”) of Coastal Bend College (the “Employer”), having duly notified, discussed and approved this matter with the members of the Board, do hereby adopt the following resolutions:

WHEREAS, the Employer maintains the Coastal Bend College Part-Time Employees Retirement Plan (the “Plan”); and

WHEREAS, the Board deems it desirable and in the best interests of the Employer and Participants of the Plan to take the actions resolved herein regarding the Plan.

NOW, THEREFORE, BE IT RESOLVED, that:

- (1.) The Board hereby terminates the services of The Standard Insurance Company and the Standard Retirement Services, Inc. (“The Standard”) as both provider of third party administration services and investment services for the Plan effective July 31, 2020;
- (2.) The Board hereby terminates the services of the Reliance Trust Company and removes Reliance Trust Company as Trustee of the Coastal Bend College Part-Time Employees Retirement Plan, effective July 31, 2020.
- (3.) The Board hereby directs that the administration and investment provider for the Plan shall become the ESC Region 10 Teacher/Employee Recruitment and Retention Plan and Trust and that the assets of the Plan be transferred to this Trust from The Standard effective July 31, 2020 or as soon thereafter as administratively feasible;
- (4.) The Board hereby directs that the current Internal Revenue Code Section (the “Code”) 401(a) Money Purchase Plan shall be converted to a Code Section 401(a) Profit Sharing Plan to allow greater flexibility in consideration of the type of plan and the demographics of Plan Participants. Such conversion shall be effective August 1, 2020.
- (5.) In order to implement resolution (3.) the Board directs that each Participant’s account in the Plan as of July 31, 2020 be frozen and placed in a separate account in the Plan. All of the protected rights and features of the Code Section 401(a) Money Purchase Plan shall apply to such frozen accounts. All future Plan contributions shall be made to new Participant accounts effective August 1, 2020 and thereafter and such accounts shall only be subject to the provisions of the Code Section 401(a) Profit Sharing Plan.
- (6.) The Board hereby directs that employee contributions to the Code Section 401(a) Profit Sharing Plan shall continue to be mandatory as a condition of employment and per Board policy, and such employee contributions shall be treated as an “employer pick up contribution” under Code Section 414(h)(2).

- (7.) The Board hereby directs that the Plan contributions shall be changed from the current 1.1% by the Employer and 6.4% by the Participants to no contributions by the Employer and 7.5% by the Participants.
- (8.) The Board hereby authorizes the Employer's Plan Administrator to execute all legal documents and take whatever additional actions are necessary to carry out the terms of this resolution and any future actions to maintain the Plan in accordance with Board policy and in compliance with all applicable laws. The Plan Administrator appointed by the Board shall be the Employer's Accounting Director / CFO or her successor.

IN WITNESS WHEREOF, the undersigned have executed this Board Resolution as the ____ day of _____, 2020.

Duly PASSED and APPROVED by the BOARD

Attest:

By: _____
Title: Board President

By: _____
Title: Board Secretary



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 61

AGENDA TOPIC: Consideration and Possible Action to Appoint the Bee County Tax Assessor-Collector and/or Interim Bee County Tax Assessor-Collector to perform the 2020 Effective Tax Rate and Roll Back Rate Calculations

ATTACHMENT:

Policy _____

Law or Rule CDA (LOCAL): Accounting: Financial Reports and Statements

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

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Coastal Bend College will provide comprehensive student services to increase overall student success

Coastal Bend College will engage students and staff in support of our communities

Coastal Bend College will effectively and efficiently use resources to benefit our students

BACKGROUND AND STATUS:

RECOMMENDED ACTION:

Recommend the appointment of the Bee County Tax Assessor-Collector and/or Interim Bee County Tax Assessor-Collector to perform the 2020 Effective Tax Rate and Roll Back Rate Calculations according to Texas Property Tax Code, Section 26.04 (c)



**BOARD OF TRUSTEES
REGULAR BOARD MEETING
JUNE 16, 2020**

AGENDA MINUTE ORDER NO. 6J

AGENDA TOPIC: Consideration and Possible Action to Approve Contracts for Employment for the 2020-2021 Academic Year as Recommended by the College President

ATTACHMENT:

Policy DCA (LOCAL) Employment Practices - Term Contracts

Law or Rule _____

Report(s)/Information _____

STRATEGIC OBJECTIVE, GOAL, OR NEED ADDRESSED:

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BACKGROUND AND STATUS:

Pursuant to Board Policy DCA (LOCAL) the Board is considering approving the College President's recommendation of 1 year contracts for the employees identified.

RECOMMENDED ACTION: Approve Contracts for Employment for the 2020-2021 Academic Year as Recommended by the College President