

**Designation and Use
of Private Spaces**

The Board shall ensure that the College President, or appropriate staff as determined by the College President, designates private spaces in accordance with law. [See FG for student housing]

The College President shall develop administrative regulations to ensure compliance with law and policy regarding the use of private spaces in College District facilities.

Naming Facilities

The College District establishes the following guidelines to ensure an appropriate reflection of the history of the institution as well as consistency, fairness, fitting recognition, and good value in exchange for the honor or privilege of name association with a physical aspect of the College District.

It is the intention of the College District to honor and recognize outstanding support of the institution through the naming of facilities, scholarships, fellowships, and endowments that support the mission of the institution.

The guidelines set forth in this policy statement shall not be deemed all-inclusive. Any commitments made prior to the adoption of this policy shall be honored by the College District.

Definitions

For purposes of this policy, a building or other College District property shall include, but is not limited to, a campus, wing of a building, major component of a building, large auditorium, concert hall and major performing spaces, atrium, prominent outdoor space, academic department, nonacademic department, major academic centers, and institutes. This definition shall also include a classroom; laboratory; exhibition space; small performance space; library room or space; administrative room or space; nonacademic room or space; conference room; career placement room or space; small athletic room, space, or facility; small centers or institutes; and collections of art or books. Such property may include, but is not limited to, pavers, benches, planters, fountains, gardens, equipment, musical instruments, artwork, and outdoor plazas.

Naming Tributes

***Gift-Related
Naming***

Guidelines for gift-related naming shall include:

1. The College District shall have the authority to award naming rights to an individual or organization making a substantial gift ~~benefitting~~benefiting the College District. The term substantial gift shall be defined by the College President's cabinet, subject to approval of the Board.
2. The cabinet shall take into account the significance and amount of the proposed gift as either or both relate to the realization, completion, or enhancement of a larger feature, building, or major facility of the College District.

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3. Each naming right shall recognize the donor according to the level, size, or scope of the gift.

4. If contributions consist of pledges, all pledged amounts shall be paid as prescribed by the donor agreement, unless otherwise authorized by the cabinet.

5. If the full amount of any pledged gift is not received as stated in the donor agreement, the Board reserves the right to cancel the naming and determine an alternative naming right opportunity.

6. When a gift from a corporation or organization is involved, the corporation or organization may be eligible to purchase a naming license for a period of time to be negotiated between the cabinet and the donor. The terms and conditions of the designation, including the name to be displayed and the expected duration of the designation, shall be specified in a written agreement between the College District and the donor. At the end of the time period as prescribed in the donor agreement, the license may be renewed or offered to other donors.

*Notable
Contributions
Naming*

Guidelines for notable contributions naming shall include:

1. The Board shall have the discretion to occasionally bestow a naming opportunity on an individual or entity based on a long-standing relationship or significant involvement with the College District.

2. Naming opportunities are limited, and a very high standard must be applied in nominating honorees. Individuals whose nominations are based merely on professional achievements or long service that, while unusual or laudable, is shared by a significant number of other employees or volunteers shall be recognized in some other, more appropriate way. Normally, notable accomplishments occur over an extended period of years but may also include an unusual or heroic activity during a shorter period of time.

3. The Board retains the right to replace a name made due to a notable contribution with a name due to philanthropic act for the College District.

*Permanency of
Names*

When a gift from a family or individual is involved, a facility or space will receive a designation that shall last at least 20 years unless otherwise agreed. At the end of the designated time period, the cabinet shall have the opportunity to rename or re-designate the facility or space, subject to approval by the Board. Demolition or significant renovation may terminate the designation.

As modifications are made to property over time, situations may occur where it is in the best interest of the College District to relo-

cate, modify, or reallocate named buildings or property. The individual or family involved in the initial naming may be offered an opportunity to retain the naming before any other naming gifts are considered. Should the donor decline, the College District shall have the option to seek funding from another donor for which the renovated area may be named. Recognition of earlier donors and honorees may be included as deemed appropriate.

The Board reserves the right, at its sole discretion, to terminate a naming right agreement without refund of consideration or gift, prior to the scheduled termination date, should it be deemed necessary to do so to avoid the College District being brought into disrepute.

When a name is to be removed from an existing facility, approval shall be required through the same procedures as required for naming a facility.

Signage

Plaques and other signage shall be of general uniform design to match existing College District signage and shall follow the branding guidelines as prescribed by established College District standards.

Nominating Process

*Gift-Related
Naming*

Gift-related naming of a College District building or other property shall be as follows:

1. An idea or suggestion for naming a College District building or other property shall be submitted in writing to the office of resource development for preliminary review and clarification.
2. The office of resource development shall forward a written proposal to the College President, who may give preliminary approval to proceed with the naming proposal or reject it. The vice president of finance and administration shall conduct a review with emphasis on the costs associated with granting the naming rights, which may include necessary legal or insurance expenses, facility preparation, maintenance expenses, signage costs, and other items.
3. After receiving preliminary approval, the office of resource development shall convene the appropriate parties from within and outside the College District to finalize a recommendation for naming rights. The parties may include, but are not limited to, the vice president of finance and administration and the vice president of student success, workforce, and resource development. Legal counsel may also be included at the discretion of the College President.
4. The office of resource development shall make its recommendation to the College President.

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	5. The College President shall accept, amend, or reject the recommendation. If the College President rejects the recommendation, the process shall return to item 2, above, and incorporate the College President's or an external group's notes, commentary, or both, before being resubmitted to the College President for another review. If appropriate, the College President shall accept the recommendation, and it shall be submitted to the Board for final approval.
<i>Notable Contributions Naming</i>	Notable contributions naming of a College District building or other property shall be as follows: 1. Proposals shall be submitted to the College President, with a copy provided to the vice president of student success, workforce, and resource development and the appropriate member of the College District leadership team, depending on location of the naming request. 2. The College President shall collaborate with appropriate College District personnel and, if necessary, form a committee of employees and students to review the submission. 3. In consultation with the office of resource development, the College President shall decide whether to submit the proposal to the Board for final approval.
Authority and Approvals	The vice president of student success, workforce, and resource development shall administer this policy and reference it as appropriate in any written agreement or understanding regarding naming of a College District building or other property. The office of resource development shall also keep a complete record of all naming agreements and related documents. Giving levels for the naming of physical property shall be established through consultation between the Board, the College President, and staff from the office of resource development. The Board shall determine if it is appropriate for the College District to conduct a background check on a prospective donor, whether living or deceased. If it is determined that a background check is necessary, the College District shall obtain written permission from the donor or donor's executor prior to conducting the background check. Approval by the College President, in consultation with the office of finance and administration and the office of resource development, shall be required before the initiation of any proposed development campaign to solicit private donations to name a building or other College District property. All approved proposed development

campaigns shall include the property designated for naming, nature of the private donation, and other relevant information.

Prior to final approval, the Board shall have reasonable assurance that:

1. The proposed name brings additional honor and distinction to the College District; and
2. Any philanthropic commitments connected with the naming are realized.

The Board has complete and absolute discretion to reject any gift for any reason. The Board retains the exclusive right to name all College District facilities and property, and the decision of the Board shall be final.

Agreement

A written agreement between the College District and the donor shall be prepared by the office of resource development. The agreement shall include the terms and conditions of the naming, including, but not limited to, the location, duration, and design. If the College District fails to complete the project within the time frame outlined in the agreement, the College District shall return the funds to the donor. Copies of the agreement shall be maintained by the College District's facilities office and the office of resource development.

Confidentiality

Authority for granting naming rights shall be reserved for the Board, and its action in this regard must be taken at a public meeting. Representations, promises, or guarantees by College District employees regarding naming rights and opportunities shall not be binding upon the Board.

To the extent permitted by law, the nominating process and deliberations shall be held in confidence for any individual, corporation, or organization who may be recommended for naming rights or who may be proposing to invest in a particular naming opportunity until the College President presents a recommendation for naming rights approval to the Board. Any person or persons making a recommendation to the College President or Board shall exercise the utmost discretion and caution in communicating with potential donors.

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Compliance with Law

The College President or designee shall establish procedures ensuring that all facilities within the College District comply with applicable laws and local building codes.

Construction Contracts

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above ~~\$50~~\$100,000. To assist the Board, the College President shall recommend the project delivery/contract award method that the College President determines provides the best value to the College District. [See CM series]

For construction contracts valued at or above ~~\$25~~\$100,000, the College President shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the College President and consistent with law and policy. [See also CF]

Emergency Exception

In the event of a catastrophe, emergency, or natural disaster affecting the College District, the Board delegates to the ~~College President~~College President the authority to contract for the replacement, construction, or repair of College District equipment or facilities in accordance with law if emergency replacement, construction, or repair is necessary for the health and safety of College District students and staff. The ~~College President~~College President shall report to the Board at the next regular meeting any contract made under this authority.

Change Orders

Change orders permitted by law and with a value of less than \$100,000 shall be approved by the College President prior to executing any changes in the approved plans or in the actual construction of the facility.

Change orders valued at or above ~~\$10,000~~\$100,000 shall require Board approval. ~~The College President shall be authorized to approve change orders of a lesser amount.~~

Change orders exceeding \$50,000 shall be reported to the Building Committee on a monthly basis.

Project Administration

All construction projects shall be administered by the College President or designee.

The College President or designee shall keep the Board informed concerning construction projects and also shall provide information to the general public.

Final Payment

The College District shall not make final payments for construction or the supervision of construction until the work has been completed, and the College District has accepted the work.

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**Purpose / General
Expectations**

All College District employees are expected to perform their duties in accordance with applicable law, College District policy, ~~administrative regulations~~, ethical standards, ~~and the mission and values of the College District.~~

All College District employees 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.~~ maintain professional and respectful working relationships with students, employees, and members of the community and shall conduct themselves in a manner that supports a safe, ethical, and effective learning and work environment.

Employees wishing to express concerns, complaints, or criticism shall do so through appropriate channels. [See DGBA]

**Ethical Standards
and Professional
Responsibilities**

The College District holds all employees to the ethical standards set out in this policy.

As a Citizen

An employee shall treat all persons with dignity and respect.

An employee shall accept all rights and responsibilities of citizenship, always avoiding use of the privileges of the employee's public position for private or partisan advantage.

As an Educator

An employee shall strive to help each student realize the student's full potential as a learner and as a human being.

An employee shall by example and action encourage and defend the unfettered pursuit of truth by all persons employed by the College District in the educational enterprise and students supporting the free exchange of ideas, observing the highest standards of academic honesty and integrity, and seeking always an attitude of scholarly objectivity and tolerance of other viewpoints.

An employee shall work to enhance cooperation and collegiality among students, faculty, administrators, and other personnel.

An employee shall maintain competence through continued professional development, shall demonstrate that competence through consistently adequate performance, and shall seek to enhance that competence by accepting and appropriating constructive criticism and evaluation.

As a Colleague

An employee shall recognize and preserve the confidential nature of professional relationships, neither disclosing nor encouraging

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the disclosure of information or rumor, which might damage or embarrass or violate the privacy of any other person.

An employee shall support the right of all colleagues to academic freedom and due process and defend and assist a professional colleague accused of wrongdoing, incompetence, or other serious offense so long as the colleague's innocence may reasonably be maintained.

An employee shall not support a colleague whose persistently unethical conduct or professional incompetence has been demonstrated through due process.

As a Member of the
College District

An employee shall make the most judicious and effective use of the College District's time and resources.

An employee shall fulfill the employment agreement both in spirit and in fact, shall give reasonable notice upon resignation, and shall neither accept tasks for which the employee is not qualified nor assign tasks to unqualified persons.

An employee shall support the goals and ideals of the College District and shall act in public affairs in such a manner as to bring credit to the College District.

An employee shall not engage in unlawful discrimination or harassment of students or colleagues and shall adhere to the College District's policies on unlawful discrimination and harassment and other conduct.

An employee shall observe the stated policies and procedures of the College District, reserving the right to seek revision in a judicious and appropriate manner.

An employee shall participate in the governance of the College District by accepting a fair share of committee and institutional responsibilities.

REFERENCE: derived from the [Texas Community College Teachers Association Code of Professional Ethics \(PDF\)](#).

**Professional
Conduct
Expectations**

In addition to complying with applicable laws and Board policies, employees shall:

1. Communicate and interact with students, employees, and members of the public in a respectful, professional, and appropriate manner;

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2. Refrain from conduct that disrupts the workplace, interferes with College District operations, or negatively affects the learning or work environment;
3. Maintain regular and reliable attendance, observe assigned work schedules, and provide appropriate notice of absences or tardiness in accordance with College District procedures;
4. Follow lawful directives and perform assigned duties in a competent, timely, and responsible manner;
5. Exercise sound judgment and maintain appropriate professional boundaries with students, employees, and members of the public;
6. Act honestly and with integrity in College District business, records, and communications;
7. Cooperate honestly and appropriately in College District investigations, reviews, audits, and administrative processes;
8. Maintain the confidentiality of protected, sensitive, or private information acquired through employment with the College District;
9. Use College District time, property, technology, and resources appropriately and for authorized purposes;
10. Avoid actual or perceived conflicts of interest or misuse of position for personal benefit or advantage;
11. Adhere to College District safety and security rules and practices and promptly report unsafe conditions, security concerns, or workplace hazards to the appropriate supervisor or department;
12. Refrain from threatening, intimidating, abusive, harassing, discriminatory, retaliatory, or violent behavior; and
13. Comply with Board policies, administrative regulations, procedures, and applicable professional standards.

The examples listed in this policy are illustrative and not exhaustive.

**Professional
Standards for
Instructors**

~~A faculty member is expected to meet the education and experience requirements in his or her subject field and to demonstrate continuing professional growth beyond minimum requirements.~~ Faculty members are expected to meet the educational, credentialing, and experience requirements applicable to their instructional assignments and to demonstrate continued professional growth and development.

All faculty members are expected to support the philosophy mission of the College District and to ~~be aware of and concerned with the broad range of objectives and capabilities of each student the College District seeks to serve~~ remain attentive to the educational

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needs, abilities, and goals of the students the College District serves. Faculty members shall ~~seek to develop the most effective instructional techniques and shall be receptive to promising new approaches. Faculty members shall provide guidance that promotes a student's welfare and proper educational development~~ strive to utilize effective instructional methods, remain receptive to promising and innovative approaches to teaching and learning, and provide guidance that supports student success, welfare, and educational development.

Consensual Relationships

The College District recognizes that consensual romantic relationships may develop between adults. However, relationships involving actual or perceived authority, supervision, instruction, evaluation, advising, or influence may create conflicts of interest, concerns regarding fairness or favoritism, and potential claims of harassment, coercion, or exploitation.

Employees shall avoid consensual relationships involving supervisory, evaluative, instructional, advisory, or other authority-related responsibilities.

Prohibited Relationships

An employee shall not engage in a romantic, intimate, or sexual relationship with:

1. A student whom the employee instructs, advises, supervises, evaluates, coaches, counsels, or otherwise exercises authority or influence over; or
2. An employee whom the employee directly or indirectly supervises, evaluates, or otherwise exercises professional authority over.

Disclosure Requirement

If a consensual relationship creates an actual, potential, or perceived conflict of interest or power imbalance, the employee with the greater authority or responsibility shall promptly disclose the relationship to Human Resources or the appropriate supervisor so that appropriate steps may be taken to manage or eliminate the conflict.

The College District may take appropriate action to eliminate the conflict of interest or power imbalance, including, but not limited to, changes to reporting relationships, supervisory assignments, instructional responsibilities, advising responsibilities, evaluative authority, work assignments, or other duties. In situations involving students, the College District may take steps to ensure that an employee does not teach, supervise, advise, evaluate, grade, mentor, or otherwise exercise authority or influence over an individual with whom the employee has a personal relationship.

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Failure to disclose a relationship that creates a conflict of interest or violation of this provision may result in disciplinary action, up to and including termination of employment.

Retaliation Prohibited

An employee shall not retaliate against or disadvantage another individual based on the existence, refusal, disclosure, or termination of a consensual relationship.

Relationship to
Harassment Policies

Consensual relationships that result in allegations of harassment, discrimination, retaliation, favoritism, coercion, or hostile environment concerns shall be addressed in accordance with applicable College District policies and procedures.

**Specific Workplace
Expectations**

Employees shall comply with the following workplace expectations and safety-related requirements in addition to all other applicable Board policies and administrative regulations.

Electronic Media and
Technology Use

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the internet, ~~and~~ social network sites, **and other forms of digital communication and technology**. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.

Record Retention

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

Personal Use

Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or College District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

**Tobacco, Alcohol,
and Drug-Free
Workplace**

Tobacco & E-
Cigarettes

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.

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Alcohol and Drugs

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

Employees shall be prohibited from using, possessing, controlling, storing, manufacturing, transmitting, distributing, dispensing, selling, or being under the influence of any of the following substances while conducting College District business or while on College District property, in College District vehicles, or at College District-related activities, whether during or outside of usual working hours:

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

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

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

Exceptions

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

1. Manufactures, possesses, controls, stores, sells, transmits, distributes, or dispenses a substance listed above as part of the employee’s job responsibilities;
2. Uses, possesses, or stores a controlled substance or drug authorized by a licensed physician prescribed for the employee’s personal use;
3. Possesses or stores 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;
4. Cultivates, possesses, transports, or sells hemp as authorized by law; or
5. Possesses, sells, or distributes Dextromethorphan.

Paraphernalia

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

Notice

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

**Arrests, Indictments,
Convictions, and
Other Adjudications
Criminal Offenses
Disclosure
Requirements**

An employee shall notify the employee's immediate supervisor or the Human Resources Office within three calendar days of any arrest, criminal charge, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or offense involving moral turpitude deferred adjudication, or other criminal disposition involving:

- ~~1. Dishonesty, fraud, theft, or misrepresentation;~~
 - ~~2. Deliberate violence;~~
 - ~~3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;~~
 - ~~4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;~~
 - ~~5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or~~
 - ~~6. Acts constituting abuse under the Texas Family Code.~~
1. A felony offense;
 2. An offense involving moral turpitude;
 3. An offense involving violence, threats, abuse, harassment, weapons, controlled substances, intoxication, or sexual misconduct;
 4. An offense that may reasonably affect the employee's ability to perform assigned job duties or responsibilities;
 5. An offense that may reasonably affect the perception of safety for students, employees, or the public; or
 6. An offense that may reasonably impact the employee's fitness for duty, professional responsibilities, driving privileges required for employment, licensure, certification, or the operations, reputation, or interests of the College District.

Employees are not required to report routine traffic citations, unless the citation results in suspension or restriction of driving privileges or otherwise affects the employee's ability to perform assigned job duties.

The College District shall evaluate reported matters on a case-by-case basis in accordance with applicable law and the employee's

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job responsibilities. An arrest, charge, or allegation alone shall not automatically result in disciplinary action.

Employees whose duties include driving, operating College District vehicles, supervising minors, handling sensitive information, law enforcement/public safety functions, financial responsibilities, or professional licensure obligations may be subject to additional reporting requirements established by the College District.

Failure to make a required notification may result in disciplinary action, up to and including termination of employment.

Violations

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. [See DCC and DM series]

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Purpose

The purpose of this student conduct policy is to foster an environment of mutual respect, academic integrity, and personal growth while ensuring the safety and well-being of our campus community. This policy applies to all students, both on and off campus, and serves as a foundation for a successful college experience.

Definitions

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

Student Conduct
Administrator

A “student conduct administrator” (SCA) is a College District employee appointed by the College President or designee to process and resolve student conduct cases, which include but are not limited to, Title IX cases and bias and discrimination cases.

Student

A “student” shall mean an individual who is currently enrolled in the College District and any prospective or former student who has been accepted for admission or readmission.

Premises

The “premises” of the College District is defined as all real property over which the College District has possession and control, including off-site locations.

Standard of
Evidence

The standard of evidence for determining if a violation has occurred is a preponderance of the evidence. This standard is met if the evidence shows that the alleged violation is more likely than not to have occurred.

Scholastic
Dishonesty

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

“Cheating” shall include, but 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 oneself, to take a test;
7. Bribing another person to obtain an unadministered test or information about an unadministered test; or

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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.

"Self-plagiarism" shall be defined as submitting an assignment that is the same as or substantially similar to one's own previously submitted work(s) without asking permission from the instructor, or submitting an assignment that is the same as or substantially similar in two courses simultaneously without asking permission from both instructors.

"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:

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,

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officers, and other persons, including visitors, having business with the College District are denied entrance into, exit from, or free passage in such building.

Sanction

A "sanction" is a status that is assigned to a student or an action that a student is required to perform as a result of either accepting responsibility or being found responsible for violating the Student Code of Conduct.

**Code of Conduct
Enforcement**

The Student Code of Conduct shall be enforced, and a student shall be subject to disciplinary action if the student violates this policy:

1. While on College District premises;
2. While attending a College District activity; or
3. While elsewhere if the student's behavior adversely impacts the educational environment or otherwise interferes with the College District's operations, objectives, or other policies.

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;
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.

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Prohibited Conduct	Violations of federal, state, or local law or College District policies, administrative regulations, procedures, or rules, including rules in the College District catalog, are prohibited.
Federal, State, and Local Law	
Prohibited Weapons and Devices	Possession, distribution, sale, or use of firearms, location-restricted knives with a blade over 5.5," knuckles, clubs, firearm silencers, or other prohibited weapons or devices in violation of law or College District policies and procedures shall be prohibited. [See CHF]
Drugs and Alcohol	Behaviors regarding drugs and alcohol and associated paraphernalia, as described in policy FLBE, shall be prohibited as described in policy FLBE.
Disruptions	"Disorderly conduct," as defined above, is prohibited.
Behavior Targeting Others	The following behavior targeting others shall be prohibited: 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, dating violence, stalking, or bullying directed toward another person, including a student or employee; [See DIA series, FFD series, <u>FFE</u>, and <u>FFEFM</u> as appropriate] 4. Hazing with or without the consent of a student; 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.
Safety	The following behaviors regarding safety are prohibited:

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1. Tampering with safety systems or devices, including but not limited to, alarm systems, security cameras, fire extinguishers, exit signs, emergency phone systems, smoke, heat or carbon monoxide detectors, fire hoses, security systems, building or room doors, and door-locking mechanisms;
2. Failure to follow safety procedures and regulations, including but not limited to, failure to evacuate College District buildings in a timely manner during emergency situations or during safety drills such as fire drills; and
3. Creating or causing a fire or safety hazard, regardless of intent. This does not include preapproved situations that may require a flame or safety hazard for educational purposes or College District-sponsored activities.

Housing	Violations of student housing policies, regulations, and rules are prohibited.
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 shall be prohibited. [See FLBD]
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; 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 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;

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6. Using electronic means 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.

Publication

The student conduct rules contained in this policy and any other conduct rules of the College District shall be published and/or referenced online in the College District's catalog.

STUDENT CONDUCT
ALCOHOL AND DRUG USE

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Alcohol

A student shall be prohibited from using, possessing, controlling, manufacturing, transmitting, distributing, selling, or being under the influence of intoxicating beverages on College District property, in College District vehicles, and at College District-related activities. With the prior consent of the Board or the ~~College~~ College President, these provisions may be waived with respect to a specific location on College District property or a specific event that is sponsored by the College District.

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

Controlled Substances

No student shall possess, use, control, store, manufacture, transmit, distribute, sell, or attempt to possess, use, control, store, manufacture, transmit, distribute, sell, or be under the influence of, any of the following substances on College District property, in College District vehicles, or at College District-related activities:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation.
3. Any performance-enhancing substance, including steroids.
4. Any designer drug.
5. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

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

Exceptions

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

1. Uses ~~or possesses~~, possesses, or stores a controlled substance or drug authorized by a licensed physician through a prescription specifically for that student's use;
2. Possesses or stores a controlled substance or drug that a licensed physician has prescribed for the student's child or other individual for whom the student is a legal guardian;
3. Cultivates, possesses, transports, or sells hemp as authorized by law; or
4. Possesses, sells, or distributes Dextromethorphan.

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Paraphernalia	The use, possession, control, <u>storage</u> , manufacture, transmission, distribution, or sale of paraphernalia related to any prohibited substance is prohibited.
Violation	Students who violate this policy shall be subject to appropriate disciplinary action, which may include: • Referral to drug and alcohol counseling; • Rehabilitation programs or student assistance programs; • Suspension; • Expulsion; and/or • Notification to appropriate law enforcement officials for prosecution.
Notice	Resource links regarding the unlawful possession, use, or distribution of illicit drugs and alcohol; a description of the applicable legal sanctions under local, state, or federal law; and a description of the health risks associated with the use of illicit drugs and the abuse of alcohol shall be made available online to students. The effects of steroid use shall be posted in College District gyms.

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Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

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:

1. Complaints concerning a security officer who is an employee of the College District. [See CGF]
2. Complaints concerning the withdrawal of consent to remain on campus. [See GDA]

Guiding Principles
Informal Process

The Board encourages the public to discuss concerns with an appropriate administrator who has the authority to address the concerns.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

An individual may initiate the formal process described below by filing a written complaint form within 10 business 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.

~~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.~~
The complaint form shall be filed with the lowest level administrator who has the authority to remedy the alleged problem.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the College President, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board

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policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

Option to Continue
Informal Process

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.

**Freedom from
Retaliation**

Neither the Board nor any College District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.

Complaints

~~In this policy, the terms “complaint” and “appeal” shall have the same meaning.~~

~~Other Complaint
Processes~~

~~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:~~

~~1. Complaints concerning a security officer who is an employee of the College District. [See CHA]~~

~~Complaints concerning the withdrawal of consent to remain on campus. [See GDA]~~

Complaints Against
Board Members or
the College President

Complaints by a member of the public alleging that a Board member has violated Board policy, the Board’s ethics standards, or other legal obligations applicable to Board members in their official capacity shall be submitted to the Board Chair. If the complaint is against the Board Chair, the complaint shall be submitted to the Vice Chair. A Board officer who is the subject of the complaint or otherwise has a conflict shall not coordinate the review.

1. The Board shall be notified that a complaint has been submitted under this provision.

2. The Board Chair or Vice Chair, as appropriate, shall coordinate review of the complaint and may seek legal counsel or other assistance as necessary. The review process may include requesting additional information from the complainant, providing the Board member who is the subject of the complaint an opportunity to respond, and determining whether the matter should be referred to the Board for consideration.

3. At the conclusion of the review, the Chair or Vice Chair, as appropriate, may provide the Board with a summary of the review and any recommended action, if applicable. Any Board discussion or action shall occur in accordance with the Texas Open Meetings Act and other applicable law.

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	<u>4. The outcome of the review under this section is final and is not subject to appeal under this policy.</u> <u>5. Absent extenuating circumstances, the review should be completed within 60 business days from the date the complaint is received. The complainant and the Board member who is the subject of the complaint shall be notified in writing if additional time is needed.</u> <u>6. If the Board determines that a Board member violated applicable policy, ethics standards, or law, the Board may take action authorized by law and Board policy, including reprimand or censure.</u>
General Provisions	
Filing	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 postmarked by U.S. Mail on or before the deadline and received by the 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, <u>unless otherwise noted</u>. In calculating timelines under this policy, the day a document is filed is "day zero." The following <u>business</u> 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

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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.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the College District may consolidate the complaints.

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~~10 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~~copies may be presented at the Level One conference. After the Level One conference, new documents may be submitted with consent of the College District official reviewing the complaint.

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 ten business 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; and~~

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	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 <u>Remand</u> conference with the individual within ten business days.	<u>A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the individual who filed the complaint, documents determined relevant by College District personnel, and the decision.</u> <u>A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.</u> <u>If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.</u>
<u>Investigation</u>	<u>The College District may conduct an investigation at any level in the complaint process. If the College District and the complainant mutually agree, all deadlines shall be suspended during an investigation.</u>
<u>Audio Recording</u>	<u>As provided by law, an individual shall be permitted to make an audio recording of a hearing under this policy at which the substance of the individual's complaint is discussed. The individual shall notify all attendees present that an audio recording is taking place.</u>
<u>Complaint Levels</u> <u>Level One</u>	<u>The appropriate administrator shall schedule a conference with the individual within 10 days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.</u> Absent extenuating circumstances, the administrator shall provide the individual a written response within ten business <u>10</u> 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 <u>other</u> relevant documents or information. the administrator believes will help resolve the complaint.
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 <u>the individual</u> may request a conference with the College President or designee to appeal the Level One decision.

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The appeal notice must be filed in writing, on a form provided by the College District, within ~~ten-business~~10 days of the date of the written Level One response or, if no response was received, within ~~ten-business~~10 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:

~~1.3.~~ The original complaint form and any attachments.

~~2.4.~~ All other documents submitted by the individual at Level One.

~~3.5.~~ The written response issued at Level One and any attachments.

~~4.6.~~ 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-business~~10 days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One and identified in the Level Two appeal notice. 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~~10 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~~the individual 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-business~~10 days of the date of the written Level Two response or, if no response was received, within ~~ten-business~~10 days of the Level Two response deadline.

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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~~Level Two administrator 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 review 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 an 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~~the individual's 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 for any reason the Board ~~does not make~~fails to reach 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.

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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(LOCAL)

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.

Approval and Expressive Activities

Community members and community organizations may engage in expressive activities in accordance with this policy. "Expressive activities" means any speech or expressive conduct protected by the First Amendment to the U.S. Constitution or by Texas Constitution Article I, Section 8, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions.

Prohibited Speech and Conduct

The term "expressive activities" does not include the following speech and conduct, which is prohibited on College District facilities and grounds and through the use of College District technology and networks:

1. Defamatory statements about public figures or others;
2. Prohibited harassment [see DIAA, DIAB, FFDA, and FFDB];
3. Incitement to imminent lawless or disruptive activity;
4. Obscenity; or
5. Threats to engage in unlawful activity.

The following conduct is also prohibited:

1. Engaging in unlawful conduct.
1. Engaging in expressive activities that materially and substantially disrupt College District operations at any time, including from 10:00 p.m. to 8:00 a.m. and during the last two weeks of each semester or term.
2. Engaging in expressive activities that materially and substantially disrupt College District operations by inviting speakers to speak on campus or by using drums or other percussive instruments during the last two weeks of a semester or term.
3. Using a sound amplification device while engaging in expressive activities during class hours, between 10:00 p.m. to 8:00 a.m., and during the last two weeks of each semester or term to intimidate others, interfere with campus operations, or interfere with a College District employee's or a peace officer's lawful performance of a duty.

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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**Use of College
District Facilities**

1. Camping or erecting tents or other living accommodations, with the exception of reasonable use and modifications of assigned College District housing consistent with administrative regulations. This prohibition applies to shelters that are erected for the purpose of residing within the shelter. It does not apply to other shelters that are erected on a temporary basis to provide protection from the weather or, with approval granted by the dean of administrative services in accordance with administrative procedures, for special events.
2. Wearing a disguise or other means of concealing a person's identity while engaging in expressive activities with the intent, as determined by the dean of administrative services or a law enforcement officer to:
 - a. Obstruct the enforcement of law or College District policies and regulations by avoiding identification;
 - b. Intimidate others; or
 - c. Interfere with a College District employee's or a peace officer's lawful performance of a duty.
3. Lowering the College District's U.S. or Texas flag with the intent to raise another nation's flag or the flag representing an organization or group of people.
4. Engaging in expressive activities in a manner that 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. Damaging or defacing property.

The ~~College President or designee~~ shall approve 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.

The College District prohibits possessing, serving, or consuming alcoholic beverages on College District property or in College District facilities. An exception may be granted for a specific event with prior approval from the Board or the College President or designee. If approval is granted, the servers shall be required to have a Texas Alcohol and Beverage Commission license.

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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Requests to Use
Facilities

To request permission to meet in College District facilities, interested community members or organizations shall complete a facility request/rental form and submit it to the appropriate College District official, in accordance with administrative procedures.

The College District shall obtain a signed agreement that indicates the community members or organizations have read and understand the policies and rules governing use of College District facilities, that they will abide by those rules, and that the College District is not liable for any personal injury or damages to personal property related to nonschool use of College District facilities.

Approval

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

The College President or designee shall approve or reject the use of College District facilities by community members or organizations. Requests shall be considered based on the educational, cultural, recreational, civic, and social mission of the College District and shall not conflict with legal requirements, Board policies, or administrative regulations.

The College President or designee shall approve or reject use and rental of the College District's Performing Arts Center by all groups and individuals not associated with the College District, as well as those performances and events co-sponsored by the College District and external groups.

When considering facility requests, the College District shall not discriminate based on gender, disability, race, color, age, religion, national origin, veteran status, or any other basis prohibited by law. Those aged 18 or older may enter into agreements. Adult supervision is required for programs created for minors, and corresponding curfews must be followed.

Approval shall not be granted when the official has reasonable grounds to believe that the use would be prohibited conduct, described above, or that:

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
1. The applicant is subject to a sanction [see Violations of Policy, below] prohibiting the use of the facility;
2. The applicant owes a monetary debt to the College District and the debt is considered delinquent;

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3. The applicant has previously damaged College District property;
4. Required documentation (e.g., nonprofit status and/or insurance) has not been submitted;
5. The activities violate health or fire codes or other laws or ordinances; or
6. Previous agreements have been breached (e.g., nonpayment, property damage, regulations, and code violation).

Facilities shall be assigned based on function, size, support services required, space availability, and date of request, with primary consideration given to the College District's instructional programs and campus activities, followed by requests from the community in the College District, and then those outside of the College District.

~~The College President or designee shall approve use and rental of the College District's Performing Arts Center by all groups and individuals not associated with the College District, as well as those performances and events co-sponsored by the College District and external groups.~~

~~The College District prohibits possessing, serving, or consuming alcoholic beverages on College District property or in College District facilities. An exception may be granted for a specific event with prior approval from the Board or the College President or designee. If approval is granted, the servers shall be required to have a Texas Alcohol and Beverage Commission license.~~

~~The College President or designee shall have the right to revoke the use of a College District facility when such action is in the best interest of the College District or the public in general. Use of facilities may be denied based on, but not limited to, the following:~~

- ~~1. The activities are competitive in nature with College District programs or compete with scheduled events.~~
- ~~2. The scope of the activities is beyond the space or support services available by the College District.~~
- ~~3. Required documentation (e.g., nonprofit status and/or insurance) has not been submitted.~~
- ~~4. The activities violate health or fire codes or other laws or ordinances.~~
- ~~5. The activities pose 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.~~

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~~Requests and
Compliance~~

~~6. The activities result in damage or defacement of the property.~~

~~7. Previous agreements have been breached (e.g., non-payment, property damage, regulations, and code violation).~~

~~The College President or designee shall have the authority to relocate, reschedule, or cancel a scheduled use by community members or organizations if an unexpected situation arises.~~

~~To request permission to meet in College District facilities, interested community members or organizations shall complete a facility request/rental form and submit it to the appropriate College District official, in accordance with administrative procedures.~~

~~The College District shall obtain a signed agreement that indicates the community members or organizations have read and understand the policies and rules governing use of College District facilities, that they will abide by those rules, and that the College District is not liable for any personal injury or damages to personal property related to non-school use of College District facilities.~~

~~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~~

~~The use would result in damage to or defacement of property.~~
~~The College President or designee shall have the authority to relocate, reschedule, or cancel a scheduled use by community members or organizations if an unexpected situation arises.~~

~~The College President or designee shall have the right to revoke the use of a College District facility when such action is in the best interest of the College District or the public in general.~~

~~Designated Public
Forums~~

~~The Board shall designate common outdoor areas where community members and organizations may engage, without prior approval, in expressive activities that do not constitute prohibited speech or conduct. Those areas will be published on the College District website and in other appropriate publications.~~

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<i>Campaign- relatedRelated Use No Approval Required</i>	A College District facility may be used as an official polling place. No approval shall be required for non-schoolnonschool-related recreational use of the College District's unlocked, outdoor recreational facilities when the facilities are not in use. Individuals use the facilities at their own risk.
Emergency Use	In case of emergencies or disasters, the College President or designee may authorize the use of College District facilities by civil defense, health, or emergency service authorities.
Fees	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	Building fees shall not be charged when College District buildings are used for public meetings sponsored by state or local governmental agencies, including precinct, county, and senatorial district conventions.
Required Conduct	Community members and organizations using College District facilities or distributing literature 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 or designee; 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

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	on any College District premises by any community member or organization without prior approval. The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by a community member or organization.
Limitations on Content	Materials shall not be distributed by a community member or organization on College District property if: 1. The materials are obscene, where the materials fall within the definition of obscene as defined in Section 43.21 of the Texas Penal Code or successor provisions, and is within the constitutional definition of obscenity as set forth in the decisions of the United States Supreme Court; 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; 4.1. The materials are considered prohibited harassment [see DIA series and FFD series]; constitute prohibited speech, described above; 5.2. The materials constitute unauthorized solicitation [see Use of College District Facilities, above]; or 6.3. 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: - Is not <u>materially and substantially</u> disruptive <u>to College District operations</u> [see FLB]; - Does not impede reasonable access to College District facilities; - Does not result in damage to College District property; - Does not coerce, badger, or intimidate a person; - Does not interfere with the rights of others; and - 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.

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	The College PresidentCollege 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.
<i>Posting of Signs</i>	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. The College District shall require prior approval before a sign is posted on College District property by a community member or organization, unless the sign is in a common outdoor area subject to administrative procedures.
<u>Identification</u>	<u>A community member or organization distributing materials on campus or using College District facilities shall provide identification when requested to do so by a College District representative engaging in official duties.</u>
Violations of Policy	Failure to comply with <u>law or</u> this policy and associated procedures 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, the confiscation of nonconforming materials, removal from campus property, and involvement by the proper authorities, if needed.
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.