

Acts of fraud, waste, abuse or financial impropriety may compromise the College District's mission. All Board members, employees, students, vendors, contractors, agents, consultants, volunteers, and any other parties who are involved with the College District or who conduct business with the College District will act with integrity in duties involving the College District's fiscal resources.

Please Note: See also the following policies regarding conflicts of interest, ethics, and financial oversight:

- Code of Ethics:
 - for Board members—BBF
 - for employees—DH
- Financial conflicts of interest:
 - for public officials—BBFA
 - for all employees—DBD
 - for vendors—CFE
- Compliance with state and federal grant and award requirements: CAA, CAAA, CAAB
- Financial conflicts and gifts and gratuities regarding federal funds: CAA, CAAB
- Systems for monitoring the College District's investment program: CAK
- Budget planning and evaluation: CC
- Compliance with accounting regulations: CDC
- Criminal history record information for employees: DC

Fraud, Waste, Abuse and Financial Impropriety

The College District prohibits fraud, waste, abuse and financial impropriety, as defined below, in the actions of its Board members, employees, students, vendors, contractors, consultants, volunteers, and others seeking or maintaining an employment, business, or other relationship with the College District.

Definitions

The following general terms apply for this policy.

1. Fraud is any false or dishonest act that constitutes fraud under applicable laws, including any intentional deception or willful misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to that person or another person.

2. Waste is the loss or misuse of government-funded resources that results from deficient practices, system controls, or decisions.
3. Abuse is the intentional, wrongful, or improper use of government-funded resources or misuse of office, position, or authority that causes the loss or misuse of government-funded resources.
4. Financial impropriety is a type of financial fraud.

While it is impossible to define every action that could constitute fraud, waste, abuse, or financial impropriety, those acts may include, but are not limited to:

1. Forgery, falsification, or unauthorized alteration of any document or account belonging to the College District.
2. Forgery, falsification, or unauthorized alteration of a check, bank draft, promissory note, securities, or any other financial document of the College District.
3. Forgery, falsification, or unauthorized alteration of any College District student records, employee records, financial records, or insurance records.
4. Misappropriation of funds, securities, supplies, or other College District property or assets, including employee time.
5. Unlawful or fraudulent handling of money or reporting of College District financial transactions.
6. Acceptance or solicitation of any prohibited gift, favor, or service that may tend to influence the employee in the discharge of the employee's official duties. [\[See CAA, DBD\]](#)
7. Unauthorized destruction, removal, or use of College District records or property.
8. Unauthorized access to or disclosure of confidential or proprietary information, or intellectual property of the College District.
9. Unauthorized access to or disclosure of investment activities engaged in or contemplated by the College District.
10. Failing to provide financial records required by federal, state, or local entities.
11. Failure to disclose conflicts of interest as required by law or Board policy.

12. Theft or any other willful, dishonest act regarding financial information of the College District.
13. Failure to comply with lawful requirements imposed by law, the awarding government agency, or a pass-through entity for state and federal awards.

Reporting

Anyone who suspects or detects an act prohibited by this policy must report it immediately to a person with authority to investigate that act, including a supervisor, the District President or designee, the Director of Internal Audit, local law enforcement, or as allowed by this policy.

The individual filing the report should not knowingly make false or misleading accusations. The individual or those receiving the report should not alert the suspected individual(s) that an investigation under this policy is underway.

Ethics Hotline

A report of suspected acts of fraud, waste, abuse, or financial impropriety may be filed through a secure and confidential [ethics hotline](#)¹ or at the following toll-free number: 844-982-4680.

State Auditor's Office

A report of suspected acts of fraud, waste, abuse, or financial impropriety may also be made to the Texas State Auditor's Office by any of the methods described on that agency's [website](#)².

If the College District has reasonable cause to believe that money received from the state or by a contractor of the College District may have been lost, misappropriated, or misused, or that other fraudulent or unlawful conduct in violation of this policy has occurred in relation to the operation of the College District, such matters will be reported to the Texas State Auditor's Office by the Director of Internal Audit as required by Texas Government Code, Section 321.022.

Controls and Oversight

The District President or designee will maintain a system of internal controls to deter and monitor for fraud, waste, abuse or financial impropriety in the College District.

Each employee who supervises or is responsible for preparing College District records, financial reports, or financial transactions will set an example of honest and ethical behavior and will actively monitor their department or area of responsibility for fraud, waste, abuse, and/or financial impropriety.

Confidentiality

Reports of suspected fraud or financial impropriety will be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. All employees involved in an investigation will be advised to keep information about the investigation confidential.

Non-Retaliation

The College District prohibits and does not tolerate retaliation against any individual who in good faith files a complaint of suspected fraud, waste, abuse, or financial impropriety or cooperates with an investigation of such alleged acts. Engaging in unlawful retaliation may result in disciplinary action, including dismissal.

However, an individual who intentionally files a false complaint, offers false statements, or submits false evidence is not protected by this provision against retaliation, and may be subject to appropriate disciplinary action. Complaints involving alleged violations of this non-retaliation provision can be filed by employees under policy DGBA, by students under FLD, by community members under GB, or using the Ethics Hotline.

Investigations

The District President is responsible for ensuring that allegations of fraud, waste, abuse, or financial impropriety are investigated. The District President may assign the complaint to an appropriate designee to investigate. The Director of Internal Audit must provide timely written notification to the District President or designee when a complaint is received from the Ethics Hotline or the State Auditor's Office.

The District President or designee, in coordination with legal counsel and other internal or external departments or agencies as appropriate, will promptly initiate a thorough investigation of reports of potential fraud, waste, abuse, or financial impropriety. Once an investigation is complete, a report that outlines the results of the investigation will be provided to the District President or designee.

If the report involves the Board or District President, an external third party will be retained by the Board to investigate reports of potential fraud, waste, abuse, or financial impropriety. The external third party will conduct a thorough investigation and provide a report that outlines the results of the investigation to the Board Chair or designee.

Response

If an investigation substantiates a report of fraud, waste, abuse, or financial impropriety, the District President or designee will inform the Board of the report, the investigation, and any responsive action taken or recommended by the administration. If recommended or when circumstances warrant, the District President decides, with input from the Board and consultation from legal counsel as needed, (1) whether to report the acts to regulatory or law enforcement authorities, and/or (2) any other appropriate remedial action. In cases involving monetary loss to the College District, the College District may seek to recover lost or misappropriated funds.

If an employee is found to have committed fraud, waste, abuse, or financial impropriety, the District President or designee will take or

recommend appropriate disciplinary action, which may include dismissal from employment.

If a contractor or vendor is found to have committed fraud, waste, abuse, or financial impropriety, the College District will take appropriate action, which may include cancellation of the College District's relationship with the contractor or vendor.

Federal Awards
Disclosure

The College District will promptly disclose, in a timely manner in writing ~~at any time, in connection with~~ the federal ~~awarding agency or pass-through entity, all violations award, which includes any activities or subawards, the College District has credible evidence of the commission of a violation~~ of federal criminal law involving fraud, ~~waste, abuse~~conflict of interest, bribery, or financial impropriety~~gratuity~~ violations ~~potentially affecting a found in federal grant award~~law, including the civil False Claims Act. [See CAAB]

**Reports and
Analysis of Fraud**

After any investigation substantiates a report of fraud, waste, abuse, or financial impropriety, the District President or designee will analyze conditions or factors that may have contributed to the fraudulent or improper activity. The District President or designee will determine if current administrative procedures are appropriate. If deemed necessary, improved procedures will be developed and implemented to prevent future misconduct. These new or remedial measures will be presented to the Board.

An information item will be included in the Board report at the end of each fiscal year with a summary of the number of reports received and investigated.

¹ Ethics Hotline: <https://collin.ethicspoint.com>

² Texas State Auditor's Office website :<https://sao.fraud.texas.gov/>

Note: For College District contribution to employee insurance during leave, see CKD(LOCAL). For additional provisions addressing the Family and Medical Leave Act (FMLA), see DECA(LEGAL).

Leave Administration

The District President or designee will develop procedures associated with employee leaves and absences and ensure the procedures are used to implement the provisions of this policy.

Comprehensive Leave Program

The Board provides a comprehensive program of leave benefits for full-time employees of the College District.

Accrual of Leave

Leave hours accrue on the last day of each month. An employee who is in a paid status (at work or on paid leave) on the last day of the month earns leave hours for that month.

Reporting Absences

Employee absences are reported through a time and attendance reporting system. Supervisors ensure appropriate documentation and use of leave and take action, as needed, if an employee does not accurately report his or her absences. [See DMAA(LOCAL)]

Family and Medical Leave

For purposes of the Family and Medical Leave Act (FMLA), the following eligible conditions apply:

1. For the birth of a son or daughter, and to care for the newborn child;
2. For placement with the employee of a son or daughter for adoption or foster care [For the rules regarding leave for "adoption" and "foster care," see 29 C.F.R. 825.121];
3. To care for the employee's spouse, son, daughter, or parent with a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the functions of the employee's job;
5. Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty status); and
6. To care for a covered service member with a serious injury or illness incurred in the line of duty if the employee is the spouse, son, daughter, parent, or next of kin of the covered service member.

Immediate Family

For purposes of this policy, "immediate family" is defined as a dependent son or daughter, including a biological, adopted, or foster child; a stepchild; a legal ward, or a child for whom the employee

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

stands *in loco parentis* who is under the age of 18, or someone 18 years or older who is incapable of self-care because of a mental or physical disability; and a spouse.

Family Emergency

The term “family emergency” will be limited to disasters and life-threatening situations involving the employee or a member of the employee’s immediate family.

Leave Day

A “leave day” for purposes of earning, use, or recording of leave will mean the number of hours per day equivalent to the employee’s usual assignment.

Academic Year

An “academic year” as used in this policy will mean the term of the employee’s assignment during the College District’s Academic Calendar adopted by the Board each year. For purposes of an employee’s entitlement to FMLA leave, the 12-month period will be measured forward from the date an individual employee’s first FMLA leave begins, regardless of the academic year.

Catastrophic Illness or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee’s immediate family. A catastrophic illness or injury is one that is expected to incapacitate the employee for an extended period of time (usually longer than five days) and that requires inpatient care in a hospital, hospice, or residential medical facility, or a regimen of continuing treatment of the employee by a health-care provider that requires absences from work for treatment. Catastrophic leave is only available for those employees who have exhausted all leave time earned by those employees. Such conditions typically require prolonged inpatient hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth will be considered catastrophic if they meet the requirements of this paragraph. The College District may require a second or third medical opinion, at its cost, to confirm that the illness or injury qualifies for catastrophic leave.

Earning Leave

An employee will not earn any form of paid leave when the employee is in unpaid status. An employee using full or proportionate paid leave will be considered to be in paid status.

Deductions

Leave Without Pay

The College District will not approve paid leave for more leave days than have been carried over from prior years plus leave currently available. Any unapproved absences or absences beyond available paid leave will result in deductions from the employee’s pay. An employee’s final paycheck will be reduced for paid leave the employee used, but had not earned, as of the date of separation.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Leave Proration Paid leave will be prorated based on the actual time employed within an academic year.

Medical Certification An employee will submit medical certification of the need for leave if:

1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family; or
2. The College District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or District President; or
3. The employee requests FMLA leave for the employee's serious health condition; for a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.

In each case, medical certification will be made by a healthcare provider as defined by the FMLA. [See DECA(LEGAL)]

Order of Use For leave approved under this policy, the College District adopts the following order of use.

Earned compensatory time will be used before any available paid leave. [See DEA]

Use of leave under the sick leave bank will be permitted only after all available local or other leave has been exhausted.

When an employee is approved for FMLA leave, the College District will require the employee to use available paid leave, including, but not limited to, sick time, vacation time, or compensatory time.

Sick Leave Each full-time employee will earn eight hours of paid sick leave per month in accordance with administrative procedures.

Sick leave will accumulate to a maximum of 720 hours.

Sick leave will only be used after any applicable compensatory time has been exhausted for the following:

1. Illness of the employee.
2. Illness of a member of the employee's immediate family [see Immediate Family, above].
3. Up to three days (24 hours) of accrued sick leave each fiscal year for medical or dental appointments or to help care for an extended family member who is ill. Extended family members

include parents, grandparents, adult children, grandchildren, siblings and in-laws, and step and foster relationships of the preceding.

4. Family emergency.
5. Birth or placement of a child when taken within the first year after the child's birth, adoption, or foster placement.
6. Contribution to the sick leave bank.

**Sick Leave for
Adjunct Faculty**

The College District will offer paid sick leave to adjunct faculty members under this policy to provide pay continuity as a result of illness-related absences of the adjunct faculty member.

Adjunct faculty are eligible to receive the equivalent of one week, as defined below, of paid sick leave per course each semester they are employed. ~~Adjunct faculty members who have been diagnosed with an illness that requires quarantine are eligible for one additional week of paid leave under this policy.~~ For purposes of this policy, the phrase "equivalent of one week" is defined as 1/16th of the total course contact hours, e.g., three of 48 contact hours or four of 60 contact hours, etc., irrespective of the period of time over which the course is scheduled. Paid sick leave for adjunct faculty members is granted on a per-semester basis and does not accrue.

Sick Leave Bank

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

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

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

Eligibility

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

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

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

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

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

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

Appeal

An employee may appeal a decision regarding the sick leave bank in accordance with DGBA(LOCAL).

**Leave for Certain
Law Enforcement
and EMS Personnel**

Mental Health
Leave

A College District peace officer or a full-time telecommunicator, as defined by law, who experiences a traumatic event in the scope of employment will be granted a maximum of three days of mental health leave per traumatic event. Such leave will be provided in accordance with administrative regulations and will not be deducted from the employee's pay or leave balance.

The District President will develop regulations regarding mental health leave that address the following:

1. Circumstances or reasons under which an eligible employee may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requester;
3. The administrator authorized to approve requests for mental health leave; and
4. Other procedures deemed necessary for administering this provision.

Quarantine Leave

A College District peace officer or an emergency medical technician on staff will be granted quarantine leave when ordered by the local health authority or the person's supervisor to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave will be provided in accordance with administrative regulations and will not be deducted from the employee's pay or leave balance.

The District President will develop regulations regarding quarantine leave that address the following:

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

3. Other procedures deemed necessary for administering this provision.

Line of Duty Illness
or Injury Leave

Following a leave of absence with full pay as required by law, the College District will extend the leave of absence for a police officer's or emergency medical services personnel's line of duty illness or injury in accordance with medical certification and administrative regulations.

The extended leave of absence will not exceed 60 workdays.

The extended leave of absence will be taken with no loss of pay.

In accordance with law, following an extended leave of absence, the police officer or emergency medical services personnel may use accumulated leave.

**Family and Medical
Leave**

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

Twelve-Month
Period

Combined Leave for
Spouses

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

Intermittent or
Reduced Schedule
Leave

The College District will permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.

Certification of
Leave

When an employee requests leave, the employee will provide certification, in accordance with FMLA regulations, of the need for leave.

Fitness-For-Duty
Certification

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

Failure to Return

If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the College District may require reimbursement of premiums paid by the College District during the leave.

**Outside Employment
While on Leave**

The College District prohibits employees from engaging in any employment with another employer, supplemental employment, or providing non-employment services for compensation (“moonlighting”) during any type of leave approved under this or any other Board policy, other than vacation leave. This prohibition does not apply to employees who have received written approval to engage in outside employment or employees engaged in military service while on approved military leave.

Parental Leave

Each employee who has been employed in a benefits-eligible position for at least 12 months is eligible to use 10 days of paid parental leave at the time of the birth or adoption of a child. Parental leave must be coordinated with the employee’s concurrent leave under the FMLA and is available for use from the time of birth or placement of the child only. Parental leave must be used while the employee is on the related FMLA leave and does not accrue or remain available for use at a later date. Adjunct faculty, part-time employees, and employees on leave without pay status are not eligible for paid parental leave as outlined in this policy but may be eligible for unpaid FMLA leave.

Personal Leave

Each full-time employee will earn 24 hours of paid leave each fiscal year to conduct personal business in accordance with administrative procedures. Personal leave will be noncumulative.

**Request for Personal
Leave**

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

Vacation Leave

Each full-time, 12-month staff and administrative employee will earn paid vacation in accordance with the schedule published in administrative procedures.

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

Use of vacation leave will not exceed 15 consecutive workdays.

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

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Payment of
Vacation Leave in
Lieu of Time Off

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

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

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

Payment of
Vacation Leave at
Termination

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

Request for
Vacation Leave

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

Sabbatical Leave

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

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

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

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

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

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

Bereavement Leave

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

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

Bereavement leave will be noncumulative.

Critical Illness Leave

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

Benefit

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

Critical illness leave will be noncumulative.

**Workers'
Compensation**

Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the College District's contribution to health insurance.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

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| | <p>An absence due to a work-related injury or illness will be designated as FMLA leave.</p> |
| <p>No Paid Leave Offset</p> | <p>The College District will not permit the option for paid leave offset in conjunction with workers' compensation income benefits.</p> |
| <p>Extraordinary Circumstances</p> | <p>Up to 40 hours of leave without pay may be granted to an employee for extraordinary circumstances that cannot be addressed within the paid leave benefits provided by the College District, in accordance with administrative procedures and guidelines for faculty and staff. An employee who has been employed more than 12 months may request leave without pay of up to 720 hours after he or she has exhausted all eligible leave, including paid, unpaid, and FMLA leave for his or her own serious health condition or that of an immediate family member, to include the spouse or dependent child(ren) of the employee. Upon return from the leave of absence, the employee will be eligible for the same or similar position, upon release from his or her physician, if applicable, consistent with the College District's procedures and guidelines for faculty and staff.</p> |
| <p>Employees not Eligible for FMLA Leave</p> | <p>A full-time employee who has not yet worked the required 12 months and 1250 hours to qualify for FMLA leave may take a maximum of 160 hours of leave without pay for his or her own serious health condition or for the serious health condition of the employee's spouse and dependent children of the employee.</p> |
| <p>Expiration of Available Leave and Attendance Policy</p> | <p>When an employee is close to using all earned paid and unpaid approved leave, the College District will send a letter to the employee at the home address on file explaining that his or her leave is almost exhausted and the notification requirements for returning to work. If the employee's absence is due to his or her own medical condition, the employee must present a written medical clearance form, a health-care professional who verifies the employee is able to perform the essential functions of his or her position, and a description of any requested job-related accommodations provided by the deadline to the College District.</p> <p>[See DMAA]</p> <p>If an employee is not medically released to return to work, with or without reasonable accommodations, when all available paid and unpaid leave has been exhausted, the employee's employment with the College District will end, absent a request by the employee for a reasonable accommodation. Communications with the employee will be consistent with administrative procedures and guidelines.</p> |
| <p>Voting in Public Elections</p> | <p>An employee is expected to vote before or after his or her scheduled working hours unless voting at a polling location on a College</p> |

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

District campus. In the rare instance that this is not possible, the employee may request prior approval from his or her supervisor for time off, not to exceed two hours, to vote.

Court Appearances

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

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

Other Absences and Leave Without Pay

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

EMPLOYEE STANDARDS OF CONDUCT
CHILD ABUSE AND NEGLECT REPORTING

DHB
(LOCAL)

Reporting

Any person who has reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a responsibility under state law to immediately report the suspected abuse or neglect to an appropriate authority.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child. For purposes of this policy, the term "child" is defined in state law as a person younger than 17 years of age.

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

A "professional" is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

A person is also required to make a report if the person has reasonable cause to believe that an adult was a victim of abuse or neglect as a child and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or of an elderly or disabled person.

Oral Reports

As required by law, an oral report made to the Texas Department of Family and Protective Services (DFPS) is recorded.

Making a Report

Reports may be made to any of the following:

1. A state or local law enforcement agency;
2. The Child Protective Services (CPS) division of ~~the Texas Department of Family and Protective Services (DFPS)~~DFPS at (800) 252-5400 or the [Texas Abuse Hotline Website](#)¹;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas

EMPLOYEE STANDARDS OF CONDUCT
CHILD ABUSE AND NEGLECT REPORTING

DHB
(LOCAL)

Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

An individual does not fulfill the person's responsibilities under the law by only reporting suspicion of abuse or neglect to the ~~District President~~District President or another College District staff member. The College District will not require an employee to first report the employee's suspicion to a College District or campus administrator.

In accordance with law, an individual must provide the individual's name and telephone number. If the individual making the report is a professional, as defined by law, the individual must also provide the individual's business address and profession, such as title.

Confidentiality ~~In accordance with state law, the~~The identity of a person making a report of suspected child abuse or neglect will be kept confidential and will be disclosed only in accordance with law and the rules of the investigating agency.

Immunity A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

Failure to Report By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report; and
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

**Responsibilities
Regarding
Investigations**

In accordance with law, College District officials will be prohibited from:

1. Denying an investigator's request to interview a child on campus in connection with an investigation of child abuse or neglect;
2. Requiring a parent or College District employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

EMPLOYEE STANDARDS OF CONDUCT
CHILD ABUSE AND NEGLECT REPORTING

DHB
(LOCAL)

College District personnel will cooperate fully and without parental consent with an investigation of reported child abuse or neglect.

**Adverse
Employment Action
Prohibited**

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

Training

The College District will provide training to employees as required by law. Training will address reporting requirements and techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children.

¹ Texas Abuse Hotline Website: <https://www.txabusehotline.org>

Note: For complaints of discrimination, harassment, and retaliation on the basis of sex or gender, see FFDA. For all other discrimination, harassment, and retaliation complaints related to this policy, see FFDB.

Procedures

The District President or designee ~~shall~~will develop procedures addressing protections and accommodations, consistent with law, for students who are pregnant (and experiencing absences due to pregnancy, childbirth, or resulting medical conditions) or parenting, including procedures for early registration or pre-registration and leaves of absence.

Liaison for Pregnant and Parenting Students

The District President or designee will designate a pregnant and parenting students liaison for current ~~or~~and incoming students. Under this policy, parenting students are those who are the parents or legal guardians of children ~~younger than~~under 18 years of age.

The designated pregnant and parenting students liaison's name and contact information will be posted on the College District's website. The liaison will provide information ~~regarding support services on~~ and ~~other available~~access to resources for pregnant and parenting students ~~and~~designed to help them successfully and timely complete a degree or certificate. The liaison will also serve as the point of contact for a student requesting a legal protection or reasonable accommodation under Education Code 51.982.

Publication of Information

The procedures and the liaison's name and contact information will be published in the student handbooks and posted on the College District's website ~~in a manner that is readily available to current and incoming students who are the parents or guardians of children under 18 years old.~~

**Student Mental
Health Leave of
Absence**

The College District may permit a temporary leave of absence for a student due to a mental health condition. The leave of absence will be at the request of the student.

Purpose

Mental Health
Leave Review
Committee

The Mental Health Leave Review Committee (hereafter referred to as the "Committee") will consider a request for a student's temporary leave of absence due to a mental health condition. The Committee will be composed of the associate dean of counseling ~~and~~ **ACCESS** or designee, the dean of students or designee, the registrar or designee, the chair of the Strategies of Behavioral Intervention (SOBI) or designee, and the chair of the Discipline Appeals Committee (DAC) or designee, and the director of ACCESS or designee.

Voluntary Leave of
Absence

A student who wishes to take a temporary leave of absence from the College District due to a mental health condition will contact the associate dean of counseling and ACCESS office at the campus where he or she is predominately enrolled to request the appropriate form. The student will complete and return the form to the associate dean of counseling and ACCESS office within ~~three~~ **five** academic calendar days of receiving the form.

The Committee will approve a student's request for a voluntary leave of absence due to a mental health condition in accordance with the following:

1. The student's explanation for the requested temporary leave of absence; or
2. The student's submission of appropriate documentation from a licensed medical or mental health-care provider stating that it is in the best interest of the student to take a temporary leave of absence from the College District for a specified period of time.

Refunds

Determination of tuition payment refunds will be made on a case-by-case basis at the sole discretion of the vice president of student enrollment services.

Reentry Provisions

The College District will require a student with a mental health condition who has taken a voluntary leave of absence to demonstrate his or her fitness to return to the College District. A student will contact the associate dean of counseling and ACCESS office at the campus where he or she is predominately enrolled one semester prior to the date of the end of the leave period. Decisions regarding whether to allow a student to return to the College District will be determined by the Committee as follows:

1. The Committee will require documentation from a licensed medical or mental health-care provider stating that the student is able to return with or without accommodations.
2. The Committee may seek a second opinion from an independent licensed medical or mental health-care provider not affiliated with the College District.
3. The Committee will consider whether reasonable accommodations will allow the student to meet academic standards and remain safely in school.
4. The Committee may deny a student's request to return if it is determined the student will be unable, upon return, to safely remain at the College District, even with or without a reasonable accommodation(s).
5. Pursuant to College District policy, if the leave of absence lasts longer than two full semesters (i.e., fall and spring), the student will be required to reapply for admittance since the leave of absence will no longer be considered temporary.

Appeals

The student may appeal the denial of reentry to the vice president of student enrollment services.