

# INTRODUCTION

This Local Policy Manual contains legally referenced and local policies governing the operation of this College District. Local policies are adopted by the Board. Based on the *Community College Policy Reference Manual*, this Local Policy Manual is a comprehensive collection of the policies that govern the College District. The College District developed the manual with the assistance of the Texas Association of School Boards (TASB), which provides ongoing updating services so that the manual may remain a current and reliable document.

This manual adheres to certain structural conventions. The most visible of these conventions is the presence of separate (LEGAL) and (LOCAL) policies at many policy codes. This separation, described in greater detail below, serves to help all users—whether members of the public or members of the Board—distinguish between the requirements of an extensive body of law and the policy determinations of the local Board. Policy BD(LEGAL), for instance, recites statutes and case law governing meetings of the Board, while policy BD (LOCAL) adds a local dimension (agenda preparation, meeting time/place, and the like). To fully understand policy regarding Board meetings, therefore, the reader should consider both the (LEGAL) and the (LOCAL) policies together.

This policy manual, though it contains an extensive collection of legal materials relevant to college districts, does not constitute legal advice. College districts should obtain legal advice about policy decisions or any other particular legal matter from their own legal counsel.

**ORGANIZATION**                      The Local Policy Manual is organized according to the TASB codification system. There are seven sections, each devoted to a separate area of College District governance:

- A — Basic District Foundations
- B — Local Governance
- C — Business and Support Services
- D — Personnel
- E — Instruction
- F — Students
- G — Community and Governmental Relations

**IDENTIFICATION**                      Each policy is identified according to an alphabetical code in the upper right and lower left corners of the page. The TASB issue date of the policy is also noted in the lower left corner, with a place for the College District to reflect the adoption date for (LOCAL) policies on the last page of the policy. [See BOTTOM NOTES, below]

**LEGALLY REFERENCED POLICIES**                      The (LEGAL) policies track the language of the U.S. and Texas Constitutions, federal statutes, the Texas Education Code and other Texas law, Attorney General opinions, Texas Higher Education Coordinating Board rules, the Texas Administrative Code, and other sources of authority defining governance of community college districts in the state of Texas. Policy statements that cite court

cases or Attorney General opinions stand only for the specific statements in the policy and do not otherwise implicate the entire opinion. Such citations are provided only for reference; no other meaning is implied or intended.

All legally referenced policies have the designation “(LEGAL)” in the upper right corner of each page directly below the alphabetical code. The alphabetical code is repeated in the lower left corner where it is followed by the (LEGAL) designation and a “version” identifier as described below.

The absence of a (LEGAL) policy at a given policy code in this manual may mean either that the law is silent regarding this topic or that the law bearing on such topic was determined to be inappropriate for inclusion in a Board governance manual.

#### VERSIONS

The (LEGAL) policies found in this manual derive from (LEGAL) policies found in corresponding codes in the *Community College Policy Reference Manual*. While the *Community College Policy Reference Manual* contains provisions applicable to all college districts—including mutually exclusive provisions designed for college districts of different types, sizes, and geographical locations—the (LEGAL) versions found in the localized policy manual contain only the provisions relevant to a particular College District and are included to inform local action.

The (LEGAL) versions are identified by a letter (or letter/number combination) such as “AJC” or “BJC” in the lower left corner of the page.

To review the full range of options within a (LEGAL) policy, refer to the same code in the *Community College Policy Reference Manual*.

#### NO ADOPTION

Please note that (LEGAL) policies are NOT adopted by the Board. These policies are snapshots of often rapidly evolving law and are intended to inform decision makers and others of the legal context. Some lag will occur between the enactment of new law and its reflection in the manual. Current law will supersede any out-of-date (LEGAL) policy, in accordance with BE(LOCAL) in this manual.

#### LOCAL POLICIES

Local policies are identified by the designation “(LOCAL)” directly below the alphabetical code in the upper right corner of each page and next to the code in the lower left corner.

Local policies that are preceded by a (LEGAL) policy in the same code generally expand on, or qualify, the legally referenced provisions. Other (LOCAL) policies stand alone, portraying the Board’s stated intentions in areas not otherwise addressed by law.

VERSIONS	TASB Policy Service created local policy versions to reflect language common to many college districts. The Board determines whether a version is appropriate for the College District and, if so, adopts it as Board policy. Local versions have the code in the lower left corner with the designation (LOCAL) followed by a letter (or letter/number combination) that identifies the version.
UNIQUE LOCAL POLICIES	A unique local policy developed by the College District can be distinguished from the standard local versions by the designation (LOCAL)-X in the lower left corner of the page.
REGULATIONS	Some college districts have chosen to supplement their manuals with pages defining administrative procedures to assist in implementation of policy. These will be identified by the designation (REGULATION) directly below the code in the upper right corner and next to the code in the lower left corner.
EXHIBITS	Exhibits are pages with forms, notices, and the like that are used by the College District. While not formally adopted by the Board, they are sometimes included in the College District's manual to assist in the implementation of policy. Exhibits have the designation (EXHIBIT) directly below the code, in the upper right corner, and are so noted in the lower left corner as well. Multiple exhibits under the same code are usually preceded by a cover page listing the various exhibits.
DOCUMENT ORDER	The usual sequence of materials, should all four documents be found at a given code, is (LEGAL), followed by (LOCAL), followed by (REGULATION), and then by (EXHIBIT).
CROSS-INDEX	A comprehensive cross-index at the beginning of the manual lists entries/topics and provides the policy codes under which information is found. Entries in the cross-index reflect statutory terminology, common usage, and significant margin notes. The cross-index may contain references to codes and topics that do not have a corresponding page in the manual. For college districts with <i>Policy On Line</i> <sup>®</sup> manuals, the cross-index contains active links to the identified policy codes where materials on a given topic may be found.
TABLES OF CONTENTS	Each section of the manual is preceded by a table of contents listing the policy topics in that section with their respective codes. The tables of contents, like the cross-index, are designed for expansion and may contain codes and topics that do not have a corresponding page in the manual.
<i>POLICY ON LINE</i>	In the <i>Policy On Line</i> manual, the table of contents for a particular section contains a list of documents—each an active link—that ap-

pear in that section. Please note for this reason, the hard copy and electronic tables of contents may differ.

MARGIN NOTES

Margin notes within a policy provide a key to the content of the section they accompany. Major margin notes may be listed in the cross-index. Margin notes also provide a useful way to organize or map the information. Margin notes aligning on the left margin reflect generally independent topics. Indented margin notes are used to mark information within a topic area introduced by the major, nonindented margin note.

BOTTOM NOTES

The following bottom notes appear on the lower left corner of all policies and exhibits in the manual:

DATE ISSUED: This indicates the date on which the document was last issued or revised. Note that this is not the adoption date (see below).

UPDATE: On the line beneath the DATE ISSUED, each policy will show the update number or, in some cases, the Local District Update (LDU) number in which that policy was most recently revised.

ADOPTED: In this space, the College District should enter the date of adoption by the Board. This bottom note appears only on the last page of a (LOCAL) policy.

PAGE NUMBERING

Pages are numbered consecutively within individual documents in the manual, e.g., 1 of 2; 2 of 2. This system provides for convenient maintenance of the manual, since adding or deleting a page from one policy does not alter the page numbers of the other policies.

ABBREVIATIONS

The following abbreviations are used in the italicized legal citations in the manual:

Art.	Article
Atty. Gen. L.A.	Attorney General Letter Advisory
Atty. Gen. L.O.	Attorney General Letter Opinion
Atty. Gen. Op.	Attorney General Opinion
Atty. Gen. ORD	Attorney General Open Records Decision
CFR	Code of Federal Regulations
Civ. Prac. & Rem. Code	Texas Civil Practices and Remedies Code
Education Code	Texas Education Code
Election Code	Texas Election Code
F.Supp.	Federal Supplement

F.2d	Federal Reporter, Second Series
F.3d	Federal Reporter, Third Series
Family Code	Texas Family Code
Gov't Code	Texas Government Code
Health Code	Texas Health and Safety Code
Human Resources Code	Texas Human Resources Code
Insurance Code	Texas Insurance Code
Labor Code	Texas Labor Code
Local Gov't Code	Texas Local Government Code
Occupations Code	Texas Occupations Code
Penal Code	Texas Penal Code
S.Ct.	Supreme Court Reporter
S.W.	Southwestern Reporter
S.W.2d	Southwestern Reporter, Second Series
TAC	Texas Administrative Code
Tax Code	Texas Tax Code
THECB	Texas Higher Education Coordinating Board
Tex. Const.	Texas Constitution
Trans. Code	Texas Transportation Code
U.S.	United States Reporter
U.S.C.	United States Code
U.S. Const.	Constitution of the United States
V.A.T.S.	Vernon's Annotated Texas Statutes

CITATIONS

Citations that occur at the end of a provision or paragraph apply only to that text. Citations that are separated from the policy text by a double space govern all material above the citation or up to a previous citation.

OFFICIAL MANUAL

The official manual of the College District has been designated in accordance with BE(LOCAL). No other manuals shall be considered authoritative or binding.

Revisions and amendments to the policy manual occur in two basic ways:

1. TASB periodically issues *Community College Policy Reference Manual* and localized policy manual updates in response to changes effected by legal authority governing college districts. TASB updates, which are numbered sequentially, present to the local Board (LEGAL) policies for its review and (LOCAL) policies for its consideration and adoption. Through these updates, the manual remains consistent with evolving statutory and regulatory requirements.
2. Policy revisions may be initiated by the College District at any time. The Board may revise policy in response to a TASB-initiated update by adjusting local text presented for its con-

sideration, or the Board may adopt or revise policy on its own initiative in response to changing local circumstances.

In every case, local policy revisions initiated by the College District must be submitted to TASB as an LDU for processing by your Policy Service consultant. The College District is encouraged to contact its policy consultant once the need for a policy change has been identified, as your consultant can assist in the development phase of any local policy change. Once adopted by the Board and processed by your consultant after receiving adoption notification, your consultant may submit the LDU to TASB Legal Services for review. A TASB attorney will then alert the College District by letter if the policy change is potentially troublesome or increases the legal exposure of the College District.

The revisions from the LDU are included in the electronic file maintained for each College District and copies are sent to the College District for incorporation into its hard copy policy manual. In addition, for *Policy On Line* college districts, the updated text is incorporated into the online manual.

TASB USE OF  
COLLEGE DISTRICT  
RECORDS

Each participating College District agrees to allow TASB Policy Service to use College District policy records maintained by Policy Service in statistical studies or projects aimed at achieving TASB's goal of supporting public education in Texas. In no event shall TASB, Inc. act as custodian of College District records for purposes of the Texas Public Information Act.