

INTRODUCTION

This Local Policy Manual contains legally referenced and local policies, adopted by the Board, governing the operation of this College District. Based on the **TACC Policy Reference Manual**, this Local Policy Manual is designed for comprehensive coverage, in one volume, 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, public participation, meeting time/place, and the like). To fully understand policy regarding Board meetings, therefore, the manual user 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 legal counsel.

ORGANIZATION

The Local Policy Manual is organized according to the TACC codification system. Each policy is identified according to an alphabetical code in the upper right corner of the page. The issue date of the policy is noted in the lower left corner with a place for the adoption date for (LOCAL) policies. There are seven sections, each devoted to a separate area of College District governance:

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

LEGALLY REFERENCED POLICIES

The (LEGAL) policies track the language of the U.S. and Texas Constitutions, federal and state statutes, the Texas Education Code, Attorney General opinions, Coordinating Board rules and pertinent regulations of other governmental entities. They are referenced to some source of authority common to all community/junior college districts in the state.

Policy statements that cite court cases or Attorney General opinions stand only for the specific statements in the policy and do not imply the adoption of the entire opinion. Such citations are

provided only for reference and no other meaning is implied or intended.

The (LEGAL) policies within this manual represent the working core of legal provisions, critical to day-to-day, month-to-month decision making, regarding College District governance and management. 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 or too technical for inclusion in a Board governance manual. For example, legal material on student loans is not included.

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

VERSIONS

The (LEGAL) policies found in this manual derive from (LEGAL) policies found in corresponding codes in the **TACC Policy Reference Manual**. While the **TACC Policy Reference Manual** contains provisions applicable to all college districts as well as mutually exclusive provisions designed for college districts of different types, sizes, and geographical locations, the Localized Policy Manual contains legal provisions specific to the College District and included to inform local action.

The (LEGAL) “versions” developed by TASB Policy Service include only the legal provisions relevant to a particular College District and 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 **TACC 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 again 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	Local policy versions have been created to reflect language common to many college districts and determined by the Board to be appropriate for the College District. 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 or -W 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.
EXHIBITS	<p>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 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. Multiple exhibits under the same code are usually preceded by a cover page listing the various exhibits.</p> <p>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).</p>
CROSS INDEX	A comprehensive cross index at the beginning of the manual is designed to accommodate expansion into new areas. 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> 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. These, like the cross index, are designed for expansion.
<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 appear in that section.
MARGIN NOTES	Margin notes within a policy provide a key to the content of the section they accompany and are usually listed in the cross index.

BOTTOM NOTES

The following bottom notes appear on policies and exhibits in the manual:

DATE ISSUED: This indicates the date on which a page was issued in its most current form.

On the line beneath the DATE ISSUED, each policy will show the update number in which that policy was most recently revised. This bottom note appears on all documents.

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

PAGE NUMBERING

The pages of each policy in the hard copy manual are numbered 1 of 1, 1 of 2, 2 of 2, etc. 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. In the *Policy On Line* manual, pages of a multipage document are collapsed into a single, scrollable document.

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
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
Penal Code	Texas Penal Code
S.Ct.	Supreme Court Reporter
S.W.	Southwestern Reporter
S.W.2d	Southwestern Reporter, Second Series

19 TAC	Title 19 of Texas Administrative Code (Coordinating Board and State Board of Education rules)
25 TAC	Title 25 of Texas Administrative Code (Health Department regulations)
28 TAC	Title 28 of Texas Administrative Code (State Board of Insurance)
Tax Code	Texas Tax Code
TEA	Texas Education Agency
Tex. Const.	Texas Constitution
Tex. Jur. 3d	Texas Jur, Third Edition
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 **TACC 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 consideration, 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 a Local District Update for review by Policy Service consultant/analysts and TASB attorneys, who will alert the College District if the changes are potentially troublesome or increase the legal exposure of the

College District. The revisions are processed into the computerized file maintained for each College District and copies are sent to the College District for incorporation into its localized policy manuals. For *Policy On Line* college districts, the updated text is incorporated into the on-line manual once the College District notifies Policy Service that the revisions have been adopted by the Board. The effectiveness of the updating system depends on the accuracy of TASB records; for this reason it is critical that revisions be promptly submitted to TASB Policy Service.

TASB USE OF
COLLEGE DISTRICT
RECORDS

Participating college districts agree 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 the state of Texas. In no event shall TASB or TASB, Inc. act as custodian of College District records within the meaning of that term in the public information law (formerly styled the Texas Open Records Act).