

B.5.3 (Policy) Board Policies

Responsible Department: Legal Services

Board Adoption: 8-18-09

Last Board Action: 12-13-16

Within the context of current law, the College District shall be guided by Board-adopted written policies ("policies"). These policies shall be included in the official policy manual maintained by the District Ethics and Compliance Office, and shall also be made available in the online version of the policy manual on the College District website for access by employees, students, and the public.

In this policy the term "policy manual" includes both the official policy manual and the online version of the manual.

The District Ethics and Compliance Officer or designee shall be responsible for the accuracy and integrity of the policy manual, and shall maintain a historical record of the policy manual.

If discrepancies occur between the online version and the official policy manual, the official policy manual shall control.

References to the Texas Association of Community Colleges (TACC) Policy Reference Manual are included in the policy manual as a general guide. The documents contained in the TACC Policy Reference Manual are not adopted by the Board, and they remain subject to interpretation by the Board and College District legal counsel, including interpretation about whether they are applicable to the College District.

Harmony with Law

No policy, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Severability

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application. To this end the provisions of this policy manual are declared to be severable.

Policy Development

Proposed new policies and policy amendments and deletions may be initiated by the Chancellor, Board members or responsible administrators, but generally shall be recommended for the Board's consideration by the Chancellor.

Adoption, Amendment and Deletion

The Board shall have the sole right to adopt, amend, interpret and delete policies. Proposed policies, amendments, and deletions shall be submitted to the Policy and Long Range Planning Committee for review prior to being submitted to the Board for action.

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Proposed new and old policies and procedure amendments and deletions may be submitted by the Chancellor or Vice Chancellor or other policy owner responsible for the policy content; this process can be done directly to the Board bypassing the Committee in case of emergency, as determined by the Board.

New policies and policy amendments and deletions become effective upon Board action or at a future date designated by the Board.

After Board adoption, amendment or deletion of policies, the policy changes shall be incorporated into the policy manual.

Board-adopted or amended policies supersede all previous versions, and all other previously adopted policies or other documents addressing the same issues have no force or effect to the extent that they conflict with the newly adopted or amended policy.

Non-Substantive Changes

Title changes, minor procedural or organizational changes, and other non-substantive changes of policies may be made without additional Board approvals, provided neither the meaning nor intent of the policy is altered. The changes shall be incorporated into the policy manual. The District Ethics and Compliance Office shall provide notice of such changes to Board members and employees.

Procedures and Other Guidelines

The Chancellor or designee is authorized to develop and/or approve procedures and other guidelines to carry out policies. No procedure or other guideline or practice, or any portion thereof, shall be operative if it is found to be in conflict with current policy or applicable law.

Force and Effect

These policies are not contractual in nature and do not, absent express statement of intention to do otherwise, confer any liberty or property right to any individual or group of individuals. These policies may, at the sole and absolute discretion of the Board, be from time to time changed, in whole or in part. Moreover, the Board may in its absolute discretion, and at any time, and from time to time, waive application of any or part of any policy.

Review Existing Policy and Procedures

In an effort to improve and standardize our policy review process; the Alamo Colleges is implementing a policy review cycle that accounts for a 100% policy review within a five year period. The District Ethics and Compliance Officer will design a viable process that accounts for an annual review of 1/5 of the District policies and post this plan in the Alamo Share intranet for the Vice Chancellors and other policy owners to follow and comply. Vice Chancellor and or policy owner must identify if the policy is still relevant, accurate and legal. Have any law changed since the last Board action? Has new

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technology made this policy or any section within this policy obsolete? Are there any new risks that need to be addressed in this policy?

For Policies which are reviewed in compliance with this review requirement but for which no changes are recommended to the Board of Trustees, a notation will be made in its section review date. Example Reviewed 3-23-12.

District procedures shall be reviewed in the same manner and on the same schedule in conjunction with the review of the policy which authorizes the District procedure.

Legal Reference - TACC Policy Reference Manual
BE(LEGAL) - Policy and Bylaw Development