d. The employee is terminated due to reductions in force, reorganization or other reasons not related to employee performance or conduct, before completing an approved course.

LSCS Policy Manual Section adopted by the Board of Trustees on June 6, 2013

1 26 USC §117(d).
2 26 USC §127.
3 26 USC §127(a)(2).

IV.F.3. Wellness Program

IV.F.3.01 Purpose

The Wellness Program at LSCS is designed to encourage employees to practice simple, positive lifestyle habits that increase quality of life, productivity, and longevity. Wellness incorporates such aspects as adequate fitness, proper nutrition, stress management, disease prevention, the value of spirituality, personal safety, smoking cessation, regular physical exams and screenings, health education and awareness, and environmental support. There is now strong scientific evidence linking wellness program participation with improved health, decreased medical costs, and increased job productivity.

IV.F.3.02 Release Time

Employees who engage in a minimum of three hours of exercise or community service each week will receive up to one and one-half hours release time from their duties to participate in such activities.

The Chancellor shall develop procedures that allow the maximum number of employees to participate without a reduction in institutional productivity.

LSCS Policy Manual Section adopted by the Board of Trustees on August 5, 2010

IV.F.4. Prohibited Unlawful Discrimination and Harassment Policy

IV.F.4.01 Policy

The College strives to maintain a work compliant with all applicable employment laws, including all laws outlawing discrimination arising from: sexual harassment, sexual violence race, color, sex, age, sexual orientation, religion, ethnic or national origin, disability, veteran status, or any other protected status. Unlawful employment discrimination by officers, managers, faculty, supervisors, employees, students,
advisors, vendors, clients, or contractors will not be tolerated.

Retaliating against an employee who complains about discrimination as defined in this policy is also unlawful. Moreover, retaliating against an employee for cooperating in an investigation initiated to discover any of the prohibited conduct identified in the prior paragraph, whether internal or external, is also unlawful and contrary to the College’s policies.

**IV.F.4.02 Definitions**

(a) **Consent**. Consent is defined in Section VI.F.1.02(a).

(b) **Dating Violence**. Dating Violence is defined in Section VI.F.1.02(b).

(c) **Domestic Violence**. Domestic Violence is defined in Section VI.F.1.02(c).

(d) **Sexual Assault**. Sexual Assault is defined in Section VI.F.1.02(d).

(e) **Sexual Discrimination**. Sexual Discrimination is defined in Section VI.F.1.02(e).

(f) **Sexual Harassment**. Sexual Harassment is defined in Section VI.F.1.02(f).

(g) **Sexual Violence**. Sexual Violence is defined in Section VI.F.1.02(g).

(h) **Stalking**. Stalking is defined in Section VI.F.1.02(h).

(i) **Title IX Harassment**. Title IX Harassment is defined in Section VI.F.1.02(i).

(j) **Unlawful discrimination**: Varying an employee’s or student’s employment or education terms or conditions because of the employee’s or student’s race, color, sex, age, sexual orientation, religion, ethnic or national origin, disability, veteran status, or any other protected status constitutes unlawful discrimination.

Depending upon the circumstances and how they impact the workplace or academic environment, examples of unlawful discrimination could include the following:

1. Making decisions about a student’s or employee’s employment, compensation, or education because of his or her race, color, sex, age, sexual orientation, religion, ethnic or national origin, disability, veteran status, or any other protected status;

2. Verbal abuse, offensive innuendo, or derogatory words because of a student’s or employee’s race, color, sex, age, sexual orientation, religion,
ethnic or national origin, disability, veteran status, or any other protected status; or

3. An open display of objects or pictures designed to create a hostile working or learning environment because of a person’s race, color, sex, age, sexual orientation, religion, ethnic or national origin, disability, veteran status, or any other protected status.

IV.F.4.03 Addressing Employment Discrimination Complaints

(a) Sexual Harassment/Sexual Violence Complaints. When the College receives any employee complaint of sexual harassment or sexual violence it will promptly investigate the allegation in the same manner that student complaints are handled under Section VI.F.1.03.

(b) All Other Employment Discrimination Complaints. When the College receives any complaint of employment discrimination other than sexual harassment or sexual violence, the Human Resources Department promptly and impartially investigates the complaint. This investigation will at least include interviews of the complainant and the respondent and may also include witness interviews. All actions taken to investigate and resolve complaints through this procedure shall be conducted with as much privacy, discretion, and confidentiality as possible without compromising the investigation’s thoroughness and fairness.

(c) Complaint Processing and Handling Procedures. The General Counsel will develop procedures and forms to comply with this policy subject to the approval of the Chancellor or a designee.

IV.F.4.04 College Community Member Responsibilities

Each College community member helps ensure that no other community member suffers workplace sexual harassment or unlawful discrimination by fully cooperating in any related investigation.

Any College community member who witnesses an incident constituting unlawful discrimination in employment or who otherwise becomes aware of such an incident should immediately notify the Chief Human Resources Officer.

Any person who observes, or is victim to, an incident that may constitute sexual harassment, sexual violence, or other unlawful discrimination based on sex should immediately notify the Title IX Coordinator and the Chief Human Resources Officer.

IV.F.4.05 Educational Setting
This policy acknowledges academic freedom. Faculty and students participating in the educational setting, however, bear a responsibility to balance academic responsibilities and freedoms with a consideration of other participants’ reasonable sensitivities. In the exercise of academic freedom, the faculty member may, without limitation, discuss his or her own discipline in the classroom; he or she may not, however, rightfully claim the privilege of persistently discussing in the classroom any matter not related to the course subject. In extramural utterances, faculty members have an obligation to not represent themselves as an institutional representative, unless so designated by his or her supervising President.

IV.F.4.06 No Employment Retaliation for Employment Discrimination Complaints

Employment retaliation against any individual for making a sexual harassment or unlawful discrimination complaint, or for assisting in the investigation of such a complaint is unlawful and will not be tolerated. Any acts of retaliation will be subject to appropriate disciplinary action, such as, but not limited to reprimand, change in work assignment, loss of privileges, mandatory training, employment suspension, or immediate discharge as outlined in Board Policy IV.F.13.

Incidents of unlawful retaliation should be referred to the Human Resources Department (HR-compliance@lonestar.edu) for investigation and will be investigated in the same manner as claims of employment discrimination.

IV.F.4.07 State and Federal Agencies

Students and employees who believe they may have been subjected to sexual harassment, sexual violence or unlawful discrimination may file a formal complaint with either or both of the government agencies below.

Equal Employment Opportunity Commission
Mickey Leland Federal Building
1919 Smith Street, 6th Floor
Houston, Texas 77002-8049

Texas Workforce Commission
1117 Trinity Street, Room 144T
Austin, Texas 78778

Students and employees who believe they may have been subjected to sexual discrimination including sexual harassment or sexual violence may wish to file a complaint with local law enforcement. Filing a criminal complaint will not preclude any student from participating in an informal or formal grievance process as required
under Title IX.

Using the College’s grievance or complaint processes does not prohibit an employee or student from filing a complaint with these agencies.

**IV.F.4.08 Compliance and Training**

The College expects the General Counsel, the Title IX Coordinator, and the Associate Vice Chancellor of Human Resources to coordinate efforts to comply with this policy, and conduct any investigation within the specific requirements of the following laws:

(a) Title IX of the Education Amendments of 1972, as amended, and its implementing regulations;

(b) Section 504 of the Rehabilitation Act, as amended, and its implementing regulations;

(c) The Americans with Disabilities Act, as amended, and its implementing regulations; and

(d) Title VII of the Civil Rights Act, as amended, and its implementing regulations.

The College shall provide training consistent with Texas and federal law to:

(a) New and existing employees regarding their protections under federal and state discrimination laws and the College’s related policies and complaint procedures; and

(b) Supervisory personnel and all employees regarding the College’s non-discrimination obligations.

_LSCS Policy Manual Section adopted by the Board of Trustees on December 4, 2015_

**IV.F.5. Prohibited Harassment** *(Incorporated within Section F.4 above)*

_LSCS Policy Manual Section adopted by the Board of Trustees on December 2, 2010_

**IV.F.6. Employee Safety and Health: Hazard Communication**

**F.6.01 Employee Safety/Health**