I. Call to Order

II. Pledge of Allegiance

III. Certification of the Posting of the Notice of the Meeting

IV. Public Comment

V. Approval of the Minutes of the May 7, 2021 Regular Meetings of the Policy Review Committee

VI. Approval of the Minutes of the May 20, 2021 Regular Meetings of the Policy Review Committee

VII. Policy Considerations

   A. Proposed Subject Policies for Approval to Continue Moving Forward Through the Policy Review Committee
      i. Trustee Pierce Proposal 1 (Action Item 1)
      ii. Trustee Pierce Proposal 2 (Action Item 2)
      iii. Trustee Pierce Proposal 3 (Action Item 3)
      iv. Trustee Pierce Proposal 4 (Action Item 4)
      v. Trustee Pierce Proposal 5 (Action Item 5)

   B. Proposed Subject Policies for Approval to Post for Public Notice and Comment
      i. SB 18 (Action Item 6)
      ii. Section V.G.1.3. Bases for Academic Appeal (Action Item 7)
      iii. Section VI.B.1.08. Dual Credit Tuition (Action Item 8)
C. Proposed Subject Policies Currently Posted for Public Notice and Comment

   i. Section IX. Sexual Misconduct, posted May 25, 2021 through June 25, 2021

   ii. Section I.B.1.05. Biennial Review, posted May 25, 2021 through June 25, 2021

   iii. Section V.F. Student Discipline for Academic Misconduct, posted May 25, 2021 through June 25, 2021

   iv. Section V.I. Academic Freedom and Responsibilities, posted May 25, 2021 through June 25, 2021

D. Proposed Subject Policies for Approval to Refer to the Full Board of Trustees

   i. N/A

VIII. Suggested Future Agenda Items

IX. Adjournment
I, Stephen C. Head, Chancellor of the Lone Star College System, do hereby certify that a notice of this meeting was posted on Monday the 7th day of June, 2021 on the Lone Star College website as required by 551.001 et. seq., Texas Government Code. Special notice of the meeting was provided to the news media as required by as required by the Texas Open Meetings Act.

Members of the public may access the meeting at Event address for attendees: https://lonestar.webex.com/lonestar/onstage/g.php?MTID=ef55e4d69e3697b3f97ecc7aa0392453b

Event number: 120 156 0849
Event password: LSC2021

Given under my hand this the 7th day of June, 2021.

LONE STAR COLLEGE SYSTEM

_____________________
Stephen C. Head
Chancellor
MINUTES OF THE POLICY REVIEW COMMITTEE MEETING OF THE BOARD OF TRUSTEES LONE STAR COLLEGE SYSTEM VIA WEBEX May 7, 2021 10:30 a.m.

POLICY REVIEW COMMITTEE MEMBERS PRESENT:
Ms. Linda Good, Chair
Mr. Michael Stoma
Dr. Jim Cain

I. CALL TO ORDER: Chair Good called the policy review committee meeting of the Board of Trustees to order at 10:30 a.m. after determining that a quorum was present.

II. PLEDGE OF ALLEGIANCE: Trustee Stoma led the Trustees and guests in reciting the Pledge of Allegiance.

III. CERTIFICATION OF THE POSTING OF THE NOTICE OF THE MEETING: Vice Chancellor Clougherty confirmed the Notice for the meeting had been properly posted. No action was required. A copy is attached as Exhibit “A”.

IV. PUBLIC COMMENT: Dr. John Burghduff representing the AFT spoke to express appreciation that the Policy Review Committee will conduct business in a transparent manner by holding open meetings and accepting public comment. Dr. Burghduff urged the Policy Review Committee to accept policy proposals from the Lone Star College administration, the Board of Trustees, employees, students, and the general public and to establish procedures that are welcoming and inclusive.

V. DISCUSSION:

A. Discuss Procedures that Will Govern the Policy Review Committee.

   1. How will the committee define the 3 primary sources of policy change proposals: LSCS administrative employees, LSCS trustees, anyone else? The Policy Review Committee discussed what sources of policy submitters would be accepted. The Policy Review Committee unanimously voted to allow policy submission from three sources: (1) LSCS administrative employees, (2) LSCS trustees, and (3) members of the public including LSCS students, LSCS employees, and members of the community.

   2. On policy proposals submitted from sources other than LSCS administration, who shall be listed as the “resource” person and what contact information will be provided?
a. **Must all persons/entities submitting policy proposals be required to provide specified contact information?** The Committee discussed that people submitting policy or suggesting a policy modification should include contact information. The committee unanimously voted that a proposal must include the proponent’s name, phone number, and email address.

b. **Will the committee delay placing a policy proposal on its meeting agenda until the proponent provides contact information for the resource person?** The Committee discussed whether it should have the right to delay addressing a proposal until there is contact information. The Trustees agreed that reviewing anonymous suggestions is not an appropriate way to guide policy and allowing anonymous suggestions could result in a large amount of time being spent on potentially frivolous suggestions and detract from the work of the Committee. The Committee unanimously voted to delay review of a proposal until the proposal included a proponent’s name, phone number, and email address.

3. **How will the committee address the “fiscal impact” of proposals from outside LSCS administration?** The Committee discussed that fiscal impact is necessary to fully review a policy proposal but recognized that submissions from the public would lack the ability to generate the fiscal impact. The Committee unanimously voted that the fiscal impact section for proposal from outside of the administration would be addressed by having the policy proponent attend a Committee Meeting to discuss the proposed policy and answer questions that would help determine the fiscal impact; and that after that meeting the Committee would send the proposed policy to the Chief Financial Officer to develop the fiscal impact.

4. **How much guidance, if any, can/will the committee provide to proponents of policy changes who are not members of LSCS administration?** The Committee discussed that they did not want to take on the role of policy developers or place the Committee at risk of favoritism accusations. The Lone Star College General Counsel recommended that if the Committee elected to provide guidance, that guidance should focus on procedural advice and avoid the substance of the policy itself. The General Counsel explained providing procedural guidance could take the form of providing standing guidance on what should be included in the sections of a proposal such as how to develop the rationale and recommendation sections. The Committee unanimously voted to provide procedural advice only, which can also include requesting clarification about the intent of the policy if the proposal is ambiguous, during an open meeting.

5. **Will the committee have a standing schedule of its meetings? If so, what will the schedule be?** The Committee discussed whether meetings should be standing or ad-hoc. The Committee considered the current backlog of policy proposals that the Committee will need to address. The Committee unanimously voted to hold regular meetings until the backlog of proposals is reduced and then go to an ad-hoc schedule. The Committee scheduled the next three meetings for May 20, 2021 at 2:00 p.m., June 10, 2021 at 2:00 p.m., and June 24, 2021 at 2:00 p.m.
6. How far in advance will the committee require its meeting agenda to be distributed to the committee members? Will late arriving proposals be deferred to the next meeting? The Committee discussed the need to have time to review the matters prior to the Committee Meeting in order to be informed of the issues balanced with the need to provide time for proposal submissions while leaving adequate time for the College to comply with Open Meeting laws. The Committee unanimously voted to receive the proposed agenda and policy proposal to be considered seven calendar days before the Committee Meetings and finalize the posting with Lone Star College for public posting 72 hours before the Committee Meeting.

7. Will the committee address/consider policy proposals in the order in which they are received, subject to the committee’s decision regarding question # 1 above? The Committee discussed the differences between finalized policies submitted for review by the Board of Trustees and policy proposals submitted to the Committee, but recognized policy proposals do still need to be formatted and prepared for Committee Review. The Committee unanimously voted that policy submissions must be received by the day after a Board Meeting to be considered for an upcoming Committee Meeting.

In general, major substantive changes to instructional policy are typically not addressed during the summer months. The Committee discussed that past practices limit certain policies from consideration during certain times to account for employee schedules because some faculty have contracts where they are not engaged by the College during certain months. The Committee unanimously voted to follow the current practices unless a policy submission requires review by law and a delay would hinder compliance. The Committee unanimously voted that policy submissions will be considered based on legal compliance, instructional schedules, and other factors impacting the urgency of review, not based on order of submission.

8. How will the committee members handle addressing community feedback for proposals that are generated from outside LSCS administration? The Committee requested a recommendation from the General Counsel. The General Counsel recommended developing a webpage like the one used to solicit feedback for administration-submitted policies and procedures. The Committee unanimously voted to adopt this recommendation and included that the Committee will let a policy proponent know that the policy will be posted for feedback when they discuss the fiscal impact with the proponent.

9. Issues about the “red line” version of proposed policy changes generated from outside LSCS administration: The Committee discussed the meaning of redlines and benefits and drawbacks of redlined versions. Trustee Stoma requested clarification on whether the Committee would prepare the redlines. Chair Good responded that she felt redlines were appropriate once the Committee has established fiscal impact and again once the policy was ready to be submitted as an
action item presented to the Board of Trustees. Chair Good requested input from the General Counsel. The General Counsel explained how policy proposals interact with redlines independently from the substance of a proposal. The General Counsel then said the Committee needed to determine if they were wanting to address if a proponent should make redlines to clarify their proposed policy and when that would happen or if they were asking about the use of redlines in the substantive application of the proposed policy.

a. Will the committee make an initial decision about whether to proceed before fiscal impact has been estimated and/or a red line version is prepared? The Committee unanimously voted to have a policy proponent submit a redlined version of their proposal. If clarification is necessary to understand the proposed policy, the Committee can address that need during the meeting where they discuss questions relating to the fiscal impact with the proponent.

b. When a “red line” version is appropriate, for proposals generated from outside the administration, who will draft the red line? The Committee unanimously voted that a policy proponent should draft a redlined version of their proposed policy or amendment as part of the policy proposal.

10. Other questions that arise during the meeting from members of the committee with regard to the procedures that will govern the committee’s work. The Committee had no other questions. The Committee asked the General Counsel if he had any questions relating to the procedures. The General Counsel asked to clarify that there would be three votes and the substances of these votes. The first vote is the screening which triggers the fiscal impact and the redlines. The second vote is to post for notice and comment from the general public with the comments presented to the Committee. The third vote would be to send to the Board of Trustees for consideration. The Committee unanimously confirmed that the process articulated by the General Counsel was the process they envisioned.

VI. SUGGESTED FUTURE AGENDA ITEMS: None. The Chair announced that the next meeting would be May 20, 2021 at 2:00 p.m.

VII. ADJOURNMENT: There being no further business the meeting was adjourned at 11:33 a.m.

ATTEST:

______________________________
Policy Review Committee, Chair
POLICY REVIEW COMMITTEE MEMBERS PRESENT:
Ms. Linda Good
Mr. Michael Stoma
Dr. Jim Cain

I. CALL TO ORDER: Chair Good called the policy review committee meeting of the Board of Trustees to order at 2:00 p.m. after determining that a quorum was present.

II. PLEDGE OF ALLEGIANCE: Trustee Cain led the Trustees and guests in reciting the Pledge of Allegiance.

III. CERTIFICATION OF THE POSTING OF THE NOTICE OF THE MEETING: Vice Chancellor Clougherty confirmed the Notice for the meeting had been properly posted. No action was required. A copy is attached as Exhibit “A”.

IV. PUBLIC COMMENT: None.

V. POLICY CONSIDERATIONS:

A. Proposed Subject Policies for Approval to Continue Moving Forward Through the Policy Review Committee

   i. Section IX. Sexual Misconduct (Action Item 1) Trustee Stoma moved to advance this policy to the second step. Trustee Cain seconded the motion. The Trustees unanimously voted to move the policy to the second stage.

   Chair Good requested the General Counsel provide clarification on whether this policy would now be posted for Notice and Comment. The General Counsel clarified that—under the process the policy review committee decided on during the May 7, 2021 meeting—the request for approval to post policies for notice and comment would occur during the second step of the three-step process. During the second step, redlines would typically be provided with the request to post for notice and comment. Chair Good asked a follow-up question about why redlines were provided this time. The General Counsel clarified that the submission was in error and they did not want to pull them back outside of the meeting for the sake of transparency. Chair Good requested clarification on whether the Policy Review Committee could advance these policies to public comment. The General Counsel explained that the three-step process is a Committee Rule enacted by the Policy Review
Committee. The General Counsel explained that Robert’s Rules of Order allows a committee to change the rules they establish by majority vote of the committee.

Trustee Cain requested clarification on whether redlines need to be included during the first step and what the Policy Review Committee would be reviewing this week if they did not receive the redlines. Chair Good responded that they would be conducting the first screening, but further elaborated that administration-submitted policies follow a stringent process that develops the fiscal impact, rationale, and proposed changes before submitting to the Policy Review Committee for evaluation. Chair Good elaborated by noting that policies from outside the administration would not follow that process so the screening process would allow the Policy Review Committee to review a proposed policy to see if it is even appropriate to continue on before requesting the proposed changes and having someone in the Office of the Chief Financial Officer (“CFO”) to assist the proponent with developing the fiscal impact.

Chair Good further explained that the Policy Review Committee initially decided all proposed policies would follow the three-step process—(1) conduct an initial screening of the proposed policy, ask questions of the proponent, and refer to the CFO to assist with development of the fiscal impact if the proposal passes the screening; (2) review the proposed policy changes in redline form or the new proposed policy and fiscal impact to determine if the proposed policy can be posted for Notice and Comment; and (3) review the public comments of the proposed policy and determine whether to advance the proposed policy to the Board of Trustees for consideration. Chair Good asked the Policy Review Committee to determine if they should amend the rule so that administration-submitted proposals would follow a two-step process starting at the request to post for Notice and Comment or if administration-submitted proposals should continue to follow the established three-step process.

Trustee Stoma requested clarification and explained he viewed the situation as internally-versus-externally developed proposals where there is disparity between the understanding of the internal workings of the College from the administration and an interested citizen. Trustee Stoma questioned the General Counsel on whether Trustee Stoma was correct in understanding that the administration has already done their due diligence. The General Counsel affirmed Trustee Stoma’s understanding and Trustee Stoma informed the Policy Review Committee that he felt the administration’s policies should then follow a two-step process and all others follow a three-step process.

Trustee Cain requested clarification on whether a proposal submitted directly by a faculty member would then follow the two-step or three-step process. The General Counsel explained that a policy proposed by a faculty member that was not submitted by a member of the administration would follow the three-step process.
The Trustees unanimously voted to amend their procedures to have administration-submitted policies follow a two-step process and all other policy proposals follow a three-step process.

Trustee Stoma then moved to approve the Section IX. Sexual Misconduct policy proposal for posting for notice and comment. Trustee Cain seconded the motion. The Trustees unanimously voted to approve posting this policy for Notice and Comment.

Chair Good noted she did not designate a Secretary for the last meeting or this meeting. She designated the Office of the General Counsel as the Secretary for the May 7, 2021 meeting and the May 20, 2021.

ii. Section I.B.1.05. Biennial Review (Action Item 2) Trustee Cain moved to approve this policy to post for Notice and Comment. Trustee Stoma seconded the motion. The Trustees unanimously voted to approve posting this policy for Notice and Comment.

iii. Section V.F. Student Discipline for Academic Misconduct (Action Item 3) Trustee Stoma requested clarification on whether the designation of the Chief Academic Officer was required by law and if so, what authority required this. Chair Good requested a motion to discuss. Trustee Stoma made a motion to discuss this policy. Trustee Cain seconded that motion. The Trustees requested Dr. Dwight Smith assist with the answers to Trustee Stoma’s question. Dr. Smith explained there are requirements from the College’s accrediting agency, SACSCOC. Chair Good requested all Trustees in favor of approving this policy for Notice and Comment say “aye”. The Trustees unanimously voted to approve posting this policy for Notice and Comment.

iv. Section V.I. Academic Freedom and Responsibilities (Action Item 4) Trustee Stoma moved to approve this policy to post for Notice and Comment. Trustee Cain seconded the motion. The Trustees unanimously voted to approve posting this policy for Notice and Comment.

B. Proposed Subject Policies for Approval to Post for Public Notice and Comment

i. N/A

C. Proposed Subject Policies for Approval to Refer to the Full Board of Trustees

i. N/A

VI. SUGGESTED FUTURE AGENDA ITEMS: None.

VII. ADJOURNMENT: There being no further business the meeting was adjourned at 2:23 p.m.
Movant’s Recommendation: Vice Chancellors and other administrative positions must follow the same posting and filling of vacancies in the LSC system hiring process to ensure fair and impartial recruitment and selection of qualified employees (no exceptions). This is in accordance with applicable state and federal laws, rules, and policy.

Movant’s Rationale: The Board derives authority from, and is accountable, to the community as a whole. Trustees should seek the well-being of the entire community and represent the community in his/her board decisions. Trustees should not use their position to benefit personally or to obtain employment at the college for themselves, family members or close associates. In an effort to adhere to the Associate of Community Colleges and Trustees ethical governance guidelines, LSC must maintain standards of transparency and integrity. Governance standards should be clear. As stewards of public funds and resources, Trustees for LSC should utilize integrity and transparency which are essential to how we (as Trustees) conduct business. With regards to LSC’s hiring practices, I submit the following for the Board’s consideration and adoption as written policy.

Fiscal Impact:

Movant: Trustee Ernestine Pierce

Epierce11@att.net
COMMITTEE ACTION ITEM 2

Policy Review Committee Meeting

June 10, 2021

Movant’s Recommendation: The Policy Review Committee recommend to the Board of Trustees a change or further clarification in the Lone Star College System District’s Policy Manual establishing a policy that prohibits the employment and/or promotion of former/current Board Members and their direct relatives by the College System in high-level administrative positions (with the exception of adjunct and/or fulltime faculty positions).

Movant’s Rationale: The Board derives authority from, and is accountable to, the community as a whole. Trustees should seek the well-being of the entire community and represent the community in his/her board decisions. Trustees should not use their position to benefit personally or to obtain employment at the college for themselves, family members or close associates. In an effort to adhere to the Associate of Community Colleges and Trustees ethical governance guidelines, LSC must maintain standards of transparency and integrity. Governance standards should be clear. As stewards of public funds and resources, Trustees for LSC should utilize integrity and transparency which are essential to how we (as Trustees) conduct business. With regards to LSC’s hiring practices, I submit the following for the Board’s consideration and adoption as written policy.

Fiscal Impact:

Movant: Trustee Ernestine Pierce  
Epierce11@att.net
Movant’s Recommendation: The Policy Review Committee recommend to the Board of Trustees a change or further clarification in the Lone Star College System District’s Policy Manual establishing that any and all high level administrative appointment/hiring (contracts) are subject to Board approval (even if a lateral move). Vice-Chancellors / College Presidents / Chief Financial Officer / Directors / etc are included.

Movant’s Rationale: The Board derives authority from, and is accountable to, the community as a whole. Trustees should seek the well-being of the entire community and represent the community in his/her board decisions. Trustees should not use their position to benefit personally or to obtain employment at the college for themselves, family members or close associates. In an effort to adhere to the Associate of Community Colleges and Trustees ethical governance guidelines, LSC must maintain standards of transparency and integrity. Governance standards should be clear. As stewards of public funds and resources, Trustees for LSC should utilize integrity and transparency which are essential to how we (as Trustees) conduct business. With regards to LSC’s hiring practices, I submit the following for the Board’s consideration and adoption as written policy.

Fiscal Impact:

Movant: Trustee Ernestine Pierce

Epierce11@att.net
COMMITTEE ACTION ITEM 4

Movant’s Recommendation: The Policy Review Committee recommend to the Board of Trustees a change or further clarification in the Lone Star College System District’s Policy Manual establishing a policy requiring that all jobs/positions vacancies in the Lone Star College System (regardless of rank/category) should be posted.

Movant’s Rationale: Benefits to Posting a Job

Benefits of posting a job as opposed to selecting someone to fill the role without posting it:

- Posting the job and holding a full recruitment process can reduce the chance of claims of favoritism within the organization (assuming the process is impartial, of course).

- Posting jobs internally can help to create an environment where employees see the opportunity to be promoted by seeing advancement options. This perception can assist in employee retention.

- Posting jobs internally and externally widens the potential pool of job applicants, thus potentially increasing the likelihood of finding someone who is an ideal fit for the role.

- Posting all jobs shows a commitment to fair hiring practices.

Posting jobs can give internal employees the opportunity to express interest, which the employer may not have known about otherwise.

Fiscal Impact:

Movant: Trustee Ernestine Pierce
Epierce11@att.net
Movant’s Recommendation: The Policy Review Committee recommend to the Board of Trustees a change to the policy that include restrictions in which an employee would not have control over a family member's employment (such as hiring, promotion, raises, and termination decisions), work responsibilities, performance evaluations, or compensation. The Board should focus on preserving the integrity of employment-related decisions, maintaining a productive and fair work environment, and preventing conflicts of interest.

Movant’s Rationale: The Board derives authority from, and is accountable, to the community as a whole. Trustees should seek the well-being of the entire community and represent the community in his/her board decisions. Trustees should not use their position to benefit personally or to obtain employment at the college for themselves, family members or close associates. In an effort to adhere to the Associate of Community Colleges and Trustees ethical governance guidelines, LSC must maintain standards of transparency and integrity. Governance standards should be clear. As stewards of public funds and resources, Trustees for LSC should utilize integrity and transparency which are essential to how we (as Trustees) conduct business. With regards to LSC’s hiring practices, I submit the following for the Board’s consideration and adoption as written policy.

Fiscal Impact:

Movant: Trustee Ernestine Pierce Epierce11@att.net
Recommendation: Approval to continue moving forward through the Policy Review Committee the proposed subject policy recommending that Board Policy Sections II.D.1., II.E.1., II.L.1., IV.F.5., VI.D.13., and VI.E.1., be amended to comply with Texas law.

Rationale: Senate Bill 18 went into effect on September 1, 2019 and was codified as Texas Education Code Section 51.9315. The law generally requires that the College deem its common outdoor areas as traditional public forums allowing anyone to freely engage in expressive activities in those areas. The law allows the College to adopt viewpoint- and content-neutral restrictions, such as restrictions based on time, manner, and place. The law also addresses student organizations, speakers on campus, impermissible conduct, and grievance processes. The proposed edits seek to operationalize the law’s requirements.

Fiscal Impact: None.

Staff Resource: Mario K. Castillo  832-813-6606
II.D. COMMUNITY USE OF COLLEGE PREMISES

II.D.1. Facility Use

II.D.1.01. Policy
Lone Star College makes available its facilities and grounds for Third Party use consistent with the College’s values, mission, and this policy.

II.D.1.02. Definitions

(a) **Board** means the Board of Trustees with ultimate legal authority to govern the College.

(b) **Facility Use Agreement** means the College’s standard contract approved by the College’s Office of the General Counsel and available on the College’s website.

(c) **Third Party** means individuals or groups not including College students or employees.

II.D.1.03. Requesting Facility Use
College facilities\(^1\) are available for occasional use by employees, students, and College community groups provided that each use is first approved in writing by the appropriate College official. Any proposed Third Party facility-use must enhance the College’s public service mission and serve educational needs. The College will deny facility-use if the proposed use interferes with the College’s instructional mission. Separate policies govern the use of College facilities as polling places or political party conventions.

II.D.1.04. Facility Use Fees
The Board authorizes the Chancellor to fix and collect rentals, rates, charges or fees from Third Parties for the use and/or availability of any College properties, buildings, structures, activities, operations, or facilities pursuant to the Chancellor’s fee schedule available in the corresponding procedures.

The College may assess a facility-use fee sufficient to cover all associated costs. Costs include (1) police, custodial, maintenance, and other College employee support; (2) food and beverage preparation, set-up, sale, and service; (3) College equipment set-up and use including computers and audio-visual aids; (4) utilities and operational overhead; and (5) other necessary costs. The College will determine and charge these reasonable costs.

Required facility-use fees must be paid when the Facility Use Agreement is signed unless the College states otherwise in writing.

The College will establish and update a facility-use fee schedule. The College will deny commercial use requests, unless the College determines that the proposed commercial use

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\(^1\) See Tex. Educ. Code §§ 51.9315(c)(1)-(2).
significantly serves the community because of the proposed event’s educational or cultural value.

II.D.1.05. College Facility Use Agreement Required
Third Party individuals or groups approved to use College facilities must sign and follow the College’s standard Facility Use Agreement. Any variations to this requirement must be approved by the College.

II.D.1.06. Prohibited Facility Use
The following activities are prohibited College facility uses:

(a) holding partisan political meetings or fundraising, except for political party conventions held (1) with primary elections or (2) authorized student club activities to support or participate in partisan activities as allowed by Board Policy;

(b) conducting activities which may damage the College’s buildings, grounds, or equipment or present a risk of injury to people;

(c) holding external groups’ meetings that interfere with the College’s educational facility use;

(d) conduct violating any applicable laws; or

(e) conducting unauthorized business or commercial activities, including the sale of products or services, except as specifically allowed by Board Policy. The following activities are not considered prohibited business or commercial activity if approved beforehand by the College:
   1. post-performance or post-reading sales of music, dance recordings, videos, or books;
   2. performances incidental to the College’s educational mission (e.g., concerts, theater performances, or similar activities);
   3. recreational, cultural, and athletic events; public service radio and TV broadcasting; and events or functions which have as their principal purpose the improvement of relations between the College and the public;
   4. sales of art, baked goods, crafts, or similar items produced by students or College employees where the revenues are used by an authorized student group;
   5. authorized fundraisers which return less than 50% of the sales proceeds to the creator;
   6. sales of items by an authorized non-profit community organization with proceeds benefiting the College; or
   7. other sales of products or services specifically approved by the Board and memorialized in a written contract reviewed by College’s Office of the General Counsel.

II.D.1.07. Alcohol in Facilities
The College is alcohol-free. Alcohol possession or consumption is prohibited in College facilities including classroom buildings, laboratories, auditoriums, library buildings, offices, athletic facilities, and all other College premises unless otherwise authorized in this policy. All federal law, state law, and local ordinances related to alcohol possession and consumption will
be strictly enforced at all times on all College-owned, -leased, or -controlled property.

The Chancellor may allow alcohol service or consumption for persons aged 21 and over. The Chancellor may approve alcohol service or consumption at certain, limited College events. Individuals or groups requesting permission to serve alcohol must submit: (1) the Chancellor, applicable college president, or LEO’s written approval; (2) the appropriate plan for alcohol service or sale; (3) appropriate liability insurance coverage proof; and (4) any other requested information.

All parties approved to serve alcohol must comply with the Facility Use Agreement, College policies, local ordinances, the Texas Alcoholic Beverage Commission rules and regulations, Texas state law, and federal law—including but not limited to the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act.

II.D.1.08. Facilities as Polling Places
The College shall make its buildings available for use as polling places in any election that covers territory in which the buildings are located. If more than one authority requests the use of a building for the same day and simultaneous use is impractical, the College shall determine which authority may use the building. The College shall not assess a charge for the use of a College building for a polling place if the day of the election is a day on which the building is normally open for business.

If the day of the election is a day on which the building is not normally open for business, a charge may be made only for reimbursement of the actual expenses resulting from use of the building in the election.

II.D.1.09. Political Party Conventions
No charge may be made for the use of a College building for a precinct, county, or senatorial district convention except for reimbursement for the actual expenses resulting from use of the building for the convention. The College shall provide an itemized statement of expenses to the convention.
II.E. SPEECH AND CONDUCT ON COLLEGE PREMISES

II.E.1. Expressive Activity on College Premises

II.E.1.01. Policy
The College recognizes and supports free speech rights and the free exchange of ideas. The College recognizes individuals’ right to freedom of speech, petition, peaceful assembly, and responding to those Expressive Activities as set forth in the United States Constitution, the Texas State Constitution, and the laws of the State of Texas. The College strives to provide a suitable environment for its faculty, staff, and students to work, study, and perform activities furthering the College’s mission without undue interference or disturbance.

The College enforces Viewpoint- and Content-Neutral speech restrictions. Disruptive acts to the College’s normal operations, in the Chancellor’s or designee’s view, are not allowed. Faculty, staff, and students engaging in acts disruptive to the College’s normal operations, or unduly interfering with another’s Expressive Activities, may be subject to disciplinary action. A College employee or student who believes their rights have been violated under this section may file a grievance under Section IV.E.6. and Section VI.D.12, respectively. Academic freedom and student First Amendment rights are covered elsewhere in the Policy Manual.

Chancellor’s Procedures may be developed to further clarify this policy.

II.E.1.02. Definitions

(a) Disruptive means substantially disrupting or materially interfering with the College’s central mission of educating students. This definition does not include action that merely presents the possibility of discomfort or unpleasantness that often accompanies unpopular viewpoints.

(b) Expressive Activities means any speech or expressive conduct protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. The term does not include commercial speech.

(c) Common Outdoor Areas means the common outdoor areas of each College campus where anyone may engage in Expressive Activities. The College deems each College campus’ common outdoor areas as traditional public forums, subject to Viewpoint- and Content-Neutral

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restrictions. \(^{11}\)

(d) **Premises** means any real property which the College possesses, controls, or owns.

(e) **Viewpoint- and Content-Neutral** means speech policies or procedures that regulate speech without consideration for the speech’s content, such as regulations regarding speech’s time, manner, and place. \(^{12}\)

**II.E.1.03. Respect and Conduct during Expressive Activities**

All persons attending or participating in an Expressive Activity will conduct themselves with respect for the forum and the learning environment at all times. Persons will have an opportunity to express contrary viewpoints as appropriate for the forum. Expression of a contrary or dissenting viewpoint may not be undertaken in a manner that is unlawful \(^{13}\) and materially or substantially disrupts the College’s function. \(^{14}\)

Disruptive and unlawful conduct may \(^{15}\) result in any or all of the following College actions: use of College disciplinary processes for students and employees, action by College police officers, or appropriate external law enforcement involvement.

**II.E.1.04. Expressive Activities May Not Cause Obstruction**

Expressive Activities must not obstruct vehicular, bicycle, or pedestrian traffic. Expressive Activities must not interfere with ingress or egress to the College’s facilities, activities, or events.

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\(^{11}\) Tex. Educ. Code § 51.9315(c)(1).


II.L. MARKETING AND BRANDING

II.L.1. Advertising Approval

II.L.1.01. Authorized Persons Advertising
Print, broadcast, Web, mail, and outdoor display advertising may be used as communication to promote the products or services or convey important messages of the College.

The Chancellor or designees must approve College advertising. Advertising to recruit faculty and staff will be conducted through Human Resources. Vendor-supplied advertising opportunities may be considered in purchasing practices.

The Vice Chancellor responsible for marketing, advertising, and branding (“Vice Chancellor”) shall manage the College’s relationships with advertising agencies and other related providers.

II.L.1.02. College Use of Identity and Branding Elements
The names, logos, trademarks, and other identifying marks of the College are valuable College assets. As such, these marks may be used by its Foundation, Board of Trustees, colleges and centers only with the express approval of the Vice Chancellor or designee.

The College’s logos may be used by any College office for authorized College publications and activities. The official College Branding Styleguide, Digital Styleguide, and Editorial Styleguide outline procedures governing use of identifying marks. The logotypes may not be altered or presented except as outlined in the College styleguides.

II.L.1.03. Creation of Branding Elements
The creation of branding elements (e.g., slogans, taglines, and logotypes) is the responsibility of the Vice Chancellor or designee. Entities within the College wishing to create branding elements for departments, programs, or events must adhere to the processes outlined in the College style guides.

II.L.1.04. Outside Advertising at the College
College departments and programs may accept advertising such as the display of commercial logos or slogans at sponsored events, or ads in publications in exchange for fees or services. The College reserves the right to refuse any advertisement that does not serve the College’s educational mission or does not meet the College’s standards.

Outside businesses and organizations must obtain written permission to distribute advertising constituting commercial speech\(^\text{16}\) on College premises. Proposals to post links on any College website that connect to businesses and organizations must be approved by the Vice Chancellor or designees.

\(^{16}\text{See Tex. Educ. Code §§ 51.9315(a)(2); (d)(4).}\)
II.E.2. Trademark Management

II.E.2.01. Policy
The names, logos, trademarks, and other identifying marks of the College and its colleges are protected. Individuals or entities unaffiliated with the College should not use the College’s marks without express approval from the College’s designated representative. The General Counsel – in consultation with the Chancellor – is delegated the authority to take any reasonable and necessary actions to protect the College’s intellectual property, including trademarks.

II.E.2.02. Procedure
The Chancellor or designee may adopt procedures to implement this policy.

LSCS Policy Manual Section adopted by the Board of Trustees on
self-employment or an additional position within the College, the employee must report the nature and scope of the outside employment to the employee’s immediate supervisor. The employee may not engage in the employment unless and until it is approved in writing by the employee’s supervisor and the applicable college president, vice chancellor, or chief area officer.

IV.F.4.4. Commissioned Peace Officers
College peace officers seeking to work additional jobs are subject to the additional procedures and guidelines prepared by the administrator serving as Police Commissioner or designee.

IV.F.5. College Resources

IV.F.5.1. Policy
Resources provided by the College are for the College’s benefit and should be used to advance the College’s mission. No employee shall entrust College property to anyone, including other College employees, to be used for anything other than College purposes.

IV.F.5.2. Definitions
(a) College property means any object, thing, real estate, vehicle, furniture, equipment, fixture, donation, contract, chattel, or other item belonging to the College or which the College received or spent funds to acquire.

IV.F.5.3. No Personal Use of College Property
Employees shall not use College property for their own benefit or pleasure unless:

(a) Arrangements have been made in advance with the cost center manager for the employee to pay the value of the property’s use;

(b) The property consists of library books, recreational facilities, or other items generally available to College community members; or

(c) The employee is using common outdoor areas for expressive activities according to state law. 17

Employees may, from time to time, use College telephones, email, and internet for appropriate personal purposes during working hours. Incidental use of the telephone, email, and internet is permissible if the use does not interfere with the employee’s performance of his or her responsibilities and does not incur any cost to the College. If additional costs are incurred by such use, the employee must promptly identify the additional cost and promptly reimburse the College. The College reserves the right to monitor all employee email communication. Employees have no expectation of privacy when using the College’s electronic resources.

IV.F.6. Ethical Standards

IV.F.6.1. Policy
All employees must adhere to the highest ethical and professional standards, always conducting official College duties with integrity and honesty and in conformance with applicable law, governing regulations, Board Policy, and the Chancellor’s Procedures. Employees must immediately disclose actual or potential conflicts of interest to the College.
VI.D.13. Student Organizations

VI.D.13.01. Policy
The College provides equal opportunities to all students participating in student organizations regardless of race, color, sex, age, sexual orientation, religion, ethnic or national origin, disability, veteran status, political, philosophical, ideological, or academic viewpoint,\(^\text{18}\) or any other protected status. The College cannot deny a student group registration because of the group’s views. Additionally, the College allows Student Organizations and faculty to invite speakers subject to Viewpoint- and Content-Neutral speech restrictions.\(^\text{19}\)

VI.D.13.02. Definitions

(a) **Risk Management Program** means a program that discusses the following topics:
   (1) possessing and using alcoholic beverages or illegal drugs, including penalties that may be imposed for possessing either substance; (2) hazing; (3) sexual harassment; (4) fire and other safety issues, including possessing and using a firearm, other weapon, or explosive device; (5) traveling outside the College’s location area; (6) behavior at parties and other events held by a student organization; and (7) adoption by a student organization of a risk management policy.

(b) **Student Organization** means any organization that is composed mostly of students enrolled at the College and that receives a benefit from the College.\(^\text{20}\)

(c) **Student Organization Advisor** means a person who (1) serves in an advisory capacity to a registered student organization and its members, (2) has aged at least 21 years, (3) is not a student at the College, and (4) is the College’s full-time employee or a part-time employee expressly authorized by a college president to serve in the appointed, volunteer capacity.

(d) **Student Organization Representatives** means the following four officer positions, or similar officer positions: the president, vice president, secretary, and treasurer.

VI.D.13.03. Procedures
The Chancellor will develop and publish procedures to effectuate this policy.

\(^{18}\) Tex. Educ. Code § 51.9315(g).
VI.E. STUDENT RESPONSIBILITIES

VI.E.1. Non-Academic Student Code of Conduct

VI.E.1.01 Policy
The College provides a safe and responsive learning environment for all students. The College achieves that environment by enforcing the Lone Star College System Non-Academic Student Code of Conduct. The Non-Academic Student Code of Conduct applies to all students enrolled in a credit or non-credit course at the College. It also applies to all online-only and hybrid students.

VI.E.1.02 Definitions
(a) Prohibited Computer Use can take many forms—especially in a fast developing industry—but the following list should allow students to understand the types of uses that are specifically prohibited. The following list is not a complete list, but does provide some illustrative examples for students to appreciate in using the College’s computers or its systems.

1. Intentionally disrupting the access of other students, faculty, or staff to the College’s digital or electronic resources;
2. Knowingly obtaining access to a computer account, identification number, or password assigned to another student, faculty member, staff member, or college office without authorization;
3. Knowingly using an account, identification number, or password belonging to another student, faculty member, staff member, or College office for other than its intended purpose without authorization, or using an identification number or an inactive account, password, or identification number;
4. Misusing the College’s computer equipment by falsifying or altering records or documents, damaging programs belonging to others, sending harassing or threatening material, or unlawfully duplicating copyrighted property;
5. Intentionally using the College’s computer resources to store, download, upload, display, print, or email computer images that constitute “obscene materials” as defined by Texas law that are not directly related to, or required for, a specific educational course or research project related to an educational program;
6. Displaying or transmitting messages, images, or cartoons that are sexually explicit or that demean a person on the basis of race, ethnicity, gender national origin, disability, or religion;
7. Using the College’s e-mail or other computer resources for commercial purposes or for personal financial gain; or
8. Intentionally overloading the College’s computer resources.

Access to the College’s e-mail and similar electronic communication systems remains a privilege extended to current employees, students, and affiliates in good standing. The privilege of access ends with the termination of employment, the failure to re-enroll in a College educational program, or disciplinary sanctions. This definition includes unauthorized access based on previous standing with the College.

(b) College-sponsored activity means events and activities initiated by a student, student organization, college department, faculty member, or other employee, which meet one of the following conditions.

1. The College hosts the event or activity on its premises.
2. The College expressly authorizes, aids, supervises, or conducts the event or activity.
3. The College funds any portion of the event or activity.
4. The College’s registered student organizations initiated, conducted, or promoted the event or activity in the organization’s or College’s name.

(c) Prohibited weapons include:

1. Firearms (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).
2. Ammunition.
3. An explosive weapon (any explosive or incendiary device, bomb, grenade, rocket or mine designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made or adapted for delivery or shooting an explosive weapon).
4. An illegal knife (knife blade over 5½ inches; hand instrument designed to cut or stab another by being thrown; switchblade knife; dagger; bowie knife; sword; or spear).
5. A taser (any weapon firing barbs attached by wires to batteries, causing temporary paralysis).
6. Knuckles (any instrument consisting of finger rings or guards made of a hard substance designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles).
7. A chemical dispensing device (device other than a small chemical dispenser sold commercially for personal protection, designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being).
8. A zip gun (a device or combination of devices that was not originally a firearm adapted to expel a projectile through a smooth-bore or rifle-bore barrel by using the energy generated by an explosion or burning substance).

9. A club (instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk).

(d) Prohibited items include:

1. Any self-balancing motorized boards (segways or hoverboards), unless specifically authorized by the Chancellor or his or her designee.

2. Any unmanned aerial vehicles (drones), unless specifically authorized by the Chancellor or his or her designee.

(e) Student means any person (1) registered with the College, (2) who the College has accepted for admission, or (3) who intends to attend the College.

(f) Hazing means any intentional, knowing, or reckless act directed against a student that endangers the student’s mental health, physical health, or safety. A student organization cannot require such acts to initiate, affiliate, appoint, or maintain membership in any student organization. Whether the act occurs on or off the College’s property remains irrelevant.

VI.E.1.03 Non-Academic Code of Conduct

Non-academic misconduct can occur in many different ways. The list below presents some examples of non-academic misconduct. The list does not contain every conceivable example of non-academic misconduct. The College publishes this list only giving students examples of the types of conduct that might qualify as non-academic misconduct.

(a) Disrupting, obstructing, or interfering with College activities, access to college facilities, or college-sponsored activities.

(b) Physically or psychologically abusing, threatening violence, making terrorist threats, stalking, or harassing the College’s members or visitors. This includes oral and electronic threats.

(c) Using, possessing, or storing any weapon, dangerous chemical, ammunition, or explosive element regardless of whether the possessor holds a federal, state, or other license.

(d) Using a simulated weapon, explosive, or ammunition, in an assault or battery.

(e) Operating a self-balancing board within College buildings.

(f) Unauthorized operation of unmanned aerial vehicles within College premises, which includes College parking lots. Only the Chancellor or his or her designee can authorize operation of unmanned aerial vehicles within College premises.
(g) Using electronic cigarettes, vaporizers, or battery-powered inhalation device within College buildings.

(h) Initiating or inducing a false report with the College.

(i) Misusing or damaging fire safety equipment. Tampering, misusing, damaging, or playing with fire extinguishers, smoke detectors, exit lights, emergency lights, fire alarms or doors, or other similar equipment.

(j) Engaging in prohibited computer use.

(k) Violating the terms of any disciplinary action.

(l) Inducing or participating in hazing.

(m) Violating any College policy, procedure, regulation or rule.

(n) Unlawfully possessing, using, selling, administering, or distributing alcoholic beverages, illegal or controlled substances, designer drugs, or drug paraphernalia.

(o) Littering, damaging, defacing, removing, or destroying the College’s property without the College’s authority.

(p) Gambling, raffling, or holding a lottery at the College without approval.

(q) Violating any local, state, federal, or other applicable law.

(r) Engaging in obscene, vulgar, lewd, or indecent conduct, expression, or sexual conduct on the College’s property.

(s) Furnishing false information or willfully misrepresenting any fact to the College or to the College’s community members acting in their official capacities.

(t) Forging, altering, falsifying, or misusing the College’s documents, records, forms, or identification cards.

(u) Willfully misrepresenting to anyone the relationship between an individual and the College. This includes willfully misrepresenting that the College supports, sponsors, or approves the services or activities of any person, group, or organization.

(v) Stealing or trying to steal the College’s property or services or those of any of its community members.

(w) Infringing upon the right of other students to fair and equal access to any of the College’s library materials and other of the College’s academic resources.

(x) Using, without authorization, the College’s facilities (not including the College’s common outdoor areas) or equipment.

(y) Causing false information to be presented before any College administrative proceeding, or intentionally destroying evidence relevant to such a proceeding.


(z) Failing to comply with the direction of College officials, including campus security officers acting in the performance of their duties.

(aa) Abandoning a child in any place on the College’s premises without providing reasonable and necessary care for the child.

Attempting to commit acts prohibited in this Non-Academic Code of Conduct, or encouraging or assisting others to commit such acts is prohibited and may be punished to the same extent as if one had committed the prohibited act.

VI.E.1.04 Classroom Misconduct
The College recognizes and encourages distinct views in the learning process. Differing viewpoints, however, must be part of the learning process—not detract from it. Individual faculty members set appropriate conduct standards at the start of each class or course. Students who disrupt a classroom, and are warned by the instructor, may be asked to leave the classroom. A student refusing to leave a classroom after being asked to do so by the instructor may be removed by the College’s Police Department. The instructor must submit a written report documenting the incident to the Chief Student Services Officer. The report must include the date, time, place, and describe the circumstances of the classroom disruption.

VI.E.1.05 Off-Campus Activities
Students are not under the College’s control when not on the College’s property or when such students are not participating in a College-sponsored activity. The College assumes no responsibility for the off-campus activities or its students’ personal conduct. Students who break the law risk the related consequences of so doing. The College may, however, take disciplinary action against students whose conduct at a non-college-sponsored event poses a serious and substantial danger to any student.

VI.E.1.06 Professionalism
Students assigned to healthcare or other facilities, as part of clinical courses or serving in internships as part of a course, are expected to behave in a professional manner. Students must adhere to professional norms for the particular professional field. A student’s performance evaluation includes a professional conduct component.
Recommendation: Approval to post for public notice and comment the proposed subject policy recommending that Board Policy Manual Section V.G.1.3. Bases for Academic Appeal be amended to include an additional basis for a student to request an academic appeal.

Rationale: The College’s chief academic officers request including an academic appeal basis related to academic misconduct to add a safety net for students. Adding the appeal basis related to academic misconduct provides students recourse in situations where academic misconduct may not have been properly reported or investigated.

Fiscal Impact: None.

Staff Resource: David Baty 281-312-1618
V.G.1.3. Bases for Academic Appeal

A student must meet one of four requirements in order to qualify to file an academic appeal. The student must have some evidence that there exists at the time of the appeal: (1) a mathematical error in the grade’s calculation, (2) a deviation—by the instructor—from the course syllabus or the College’s policy manual (this document), (3) disparate treatment of the student not covered by EEO (e.g., race, color, sex, and etc.) policies, or (4) an inappropriate academic misconduct penalty was imposed against a student. Any basis for appeal outside of those four categories will not be considered and the College will simply inform the student of this policy and refuse to process the appeal. An appeal will not be considered merely because the student is dissatisfied with a grade or disagrees with the instructor’s professional judgment of the quality of the student’s work or performance.
Recommendation: Approval to post for public notice and comment the proposed subject policy recommending that Board Policy Section VI.B.1.08 Dual Credit Tuition Waiver be revised to permit discretionary dual credit tuition and fee waivers.

Rationale: Texas Education Code Section 54.216 allows an institution of higher education’s governing board to waive all or part of dual credit tuition and fees. Board Policy Section VI.B.1.08 currently allows the College to charge fees—but not tuition—for dual credit courses.

On March 5, 2020, the Board approved a simplified tuition model, which consolidated most of the College’s fees into tuition. This change had the unintended consequence of waiving charges the College previously collected as dual credit fee revenue. The Board approved exceptions to the operative policy on May 14, 2020, and May 6, 2021, to temporarily resolve this issue. These exceptions helped the College avoid revenue decreases by allowing the College to grant partial or full dual credit tuition waivers.

The proposed subject policy formally addresses the dual credit revenue issue by making dual credit tuition waivers permissive instead of mandatory and eliminating the need for annual policy exceptions. Texas Education Code Section 54.216 gives the Board discretion to make this change.

Fiscal Impact: The Board’s most recent waiver exception resulted in dual credit revenue of $26 per credit hour. Without an approved exception, the operative policy would decrease revenue by $20 per credit hour. The proposed subject policy would allow the College to maintain dual credit revenues of $26 per credit hour.

Staff Resource: Jennifer Mott 832-813-6512
VI.B.1.08 Dual Credit Tuition Waiver
The College may waive all or part of tuition and required fees for Texas high school students enrolled in dual credit courses.