

### **B.5.3 (Policy) Board Policies**

Responsible Department: Legal Services

Board Adoption: 8-18-09

Amended: 7-24-12, 12-16-14, 1-20-16, 12-13-16, 4-29-19, 1-25-22, 9-27-22



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## **POLICIES AND POLICY MANUAL**

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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, Compliance, and Policy 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. If discrepancies occur between the online version and the official policy manual, the official policy manual shall control. The Director of Ethics, Compliance, and Policy shall be responsible for the accuracy and integrity of the policy manual, and shall maintain a historical record of the policy manual.

References to the Texas Association of School Boards Community Colleges Policy Reference Manual are included in the policy manual as a general guide. The documents contained in the 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.

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## **HARMONY WITH LAW**

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

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## **SEVERABILITY**

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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.

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## **POLICY DEVELOPMENT**

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

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### **ADOPTION, AMENDMENT AND DELETION**

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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, except in case of emergency, as determined by the Board.

Proposed new policies and revisions to existing policies shall be developed and submitted by the Chancellor as he/she deems warranted by developments or as requested by the Board. The Chancellor will consider legal and additional college, administration, faculty, and staff input as the Chancellor may deem appropriate under the circumstances, including a standard procedure and process which the Chancellor will establish, publish and adapt to solicit stakeholder input.

New policies and policy revisions become effective upon Board action or at a future date designated by the Board. Policy changes shall be incorporated into the policy manual as of their effective date.

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.

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### **NON-SUBSTANTIVE CHANGES**

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

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### **PROCEDURES AND OTHER GUIDELINES**

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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.

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### **FORCE AND EFFECT**

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Board 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. The Board, as the governing body of the College District, has sole authority to establish policies, and full authority to revise procedures, notwithstanding any consultative process which the Chancellor may establish. Policies and procedures 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.

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### **REVIEW EXISTING POLICY AND PROCEDURES**

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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 Director of - Ethics, Compliance, and Policy will design a viable review plan process that accounts for an annual review of 1/5 of the District policies (and procedures) and publish this plan with which the Vice Chancellors and other policy owners must comply. Policy owner review plan responsibilities are to determine whether the policy is still relevant, accurate and lawful. Considerations should be whether: any pertinent law has changed since the last Board action; any new technology has made the policy or any portion thereof obsolete; or any new risks or priorities now exist that need to be addressed in the policy. The District Ethics, Compliance, and Policy Office may modify the review plan or initiate outside-cycle policy review at any time to address business needs, as applicable.

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, for 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 – TASB Community College Policy Reference Manual*  
BE(LEGAL) - Policy and Bylaw Development