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## *A Message from the President*

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Welcome to an exciting new decade in the growth and development of South Texas College (STC). We have a new name, new buildings, we were recently awarded Level II accreditation by the Southern Association of Colleges and Schools, which gives us the authority to offer a Bachelor's degree, and we have many new students who are beginning their educational journey. The one thing that remains the same at STC is our continued commitment to student success.

In order to meet the needs of Hidalgo and Starr counties and to provide convenient and affordable access to provide our students with quality higher education, we are focused on building for the future. We have campuses in McAllen, Weslaco and Rio Grande City, as well as the Dr. Ramiro R. Casso Nursing and Allied Health Center, the Technology Center in McAllen, and students have the opportunity to learn from home through electronic distance learning courses. Dual enrollment programs are offered in school districts throughout Hidalgo and Starr counties. The programs allow eligible high school students to take college courses while attending high school. The Partnership for Workforce Training and Continuing Education provides opportunities for lifelong learners who want to upgrade their skills, change careers or seek personal enrichment. The division offers a variety of courses that satisfy employer needs for customized training to upgrade skills of current employees and prepare new employees.

Education is truly a building process. As STC continues to grow, so do the opportunities for our students. The excitement and vibrancy of STC is astounding and can be felt and seen in the face of each student, staff member, faculty member and administrator. It is a privilege to be part of this dynamic and exciting institution and to know that we are helping our students achieve their dreams.

Congratulations on your decision to be a part of STC. I look forward to working with you in serving the students of Hidalgo and Starr counties.

Sincerely yours,



Shirley A. Reed, M.B.A., Ed.D  
President

# Introduction

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South Texas College does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in admission, access to, treatment, or employment in its educational programs or activities.

No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored or conducted by South Texas College on the basis of race, color, national origin, religion, sex, age, veteran status, or disability.

The Employee Handbook has been prepared for your information and comprehension of the employment policies and practices of South Texas College in effect at the time of publication. All previously issued policies and any inconsistent policy statements or memoranda are superseded.

The College reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document.

Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this handbook.

The Employee Handbook is intended to support policy statements of the Board of Trustees, and in any instance where it is determined that the handbook is not compatible with the Board Policy Manual, Board policy shall prevail. This handbook sets forth the agreement between you and the College for the duration of employment and the circumstances under which employment may be terminated. Nothing in this handbook or in any other personnel document, including the benefit plan description, creates or is intended to create a promise or representation of continued employment for any employee.

## Equal Employment Opportunity/Affirmative Action Policy 4205 (11/09/95)

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South Texas College is an equal employment opportunity/affirmative action employer. As an equal opportunity employer, the College shall not discriminate on the basis of race, color, creed, national origin, religion, age, sex, political affiliation, or physical disability. Discrimination is prohibited and the College will comply with all applicable state and federal legislation and College policies.

As an equal opportunity employer, the College will appoint employees in full compliance with existing laws. Qualification guidelines for all positions will be published by the Office of Human Resources and shall be applied consistently and fairly to all applicants. "Qualified" is defined as having the requisite education, training, and/or skill required of the position as defined in the approved job announcement.

The College shall actively seek to increase the number of minority personnel through recruiting and other similar activities.

It is mandated by federal and state governments to post the following laws for all employees to view. For your convenience, we have included them in your Employee Handbook as well as posting them on bulletin boards at each campus.

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*Pages 4 through 12 fulfill the requirement to inform employees of federal and state employment laws.*

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## Equal Employment Opportunity IS THE LAW

### Employers Holding Federal Contracts or Subcontracts

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Applicants to and employees of companies with a federal government contract or subcontract are protected under the following federal authorities:

#### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex, or national origin and requires affirmative action to ensure equality of opportunity in all aspects to employment.

#### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits job discrimination because of disabilities and requires affirmative action to employ and advance in employment-qualified individuals with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

## **VIETNAM ERA AND SPECIAL DISABLED VETERANS**

38 USC 4212 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam Era veterans and qualified special disabled veterans.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)  
Employment Standards Administration  
U.S. Department of Labor (DOL)  
200 Constitution Avenue, N.W.  
Washington, DC 20210

– Or –

Call (202) 219-9368 (DOL's toll-free TDD number for individual with hearing impairments is (800) 326-2577) or an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

## **Private Employment, State and Local Government, Educational Institutions**

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Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies, and labor organizations are protected under the following federal laws:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment on the basis of race, color, religion, sex, or national origin.

### **DISABILITY**

The Americans with Disabilities Act of 1990, as amended, protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship.

### **AGE**

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination on the basis of age in hiring, promotion, discharge, compensation, terms, conditions, or privileges of employment.

### **SEX (WAGES)**

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act (see above), the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Retaliation against a person who files a charge of discrimination, participates in an investigation, or opposes an unlawful employment practice is prohibited by all of these federal laws.

If you believe that you have been discriminated against under any of the above laws, you immediately should contact:

The U.S. Equal Employment Opportunity Commission (EEOC)  
1801 L Street, N.W.  
Washington, DC 20507

– Or –

Call an EEOC field office toll free at (800) 669-4000. EEOC's toll-free TDD number for individual with hearing impairments is (800) 800-3302.

## Programs or Activities Receiving Federal Financial Assistance

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### **RACE, COLOR, NATIONAL ORIGIN, SEX**

In addition to the protection of Title VII of the Civil Rights Act of 1964, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive federal assistance.

### **INDIVIDUALS WITH DISABILITIES**

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of a disability in any program or activity which receives federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

If you believe you have been discriminated against in a program of any institution which receives federal assistance, you should contact immediately the federal agency providing such assistance.

## National Origin or Citizenship Status Anti-Discrimination Notice

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It is illegal to discriminate against any individual (other than an alien not authorized to work in the U.S.) in hiring, discharging, recruiting, or referring for a fee because of that individual's national origin or citizenship status. It is illegal to discriminate against work-eligible individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because of future expiration date may also constitute illegal discrimination.

If you think discrimination has occurred, call the Office of Special Counsel for Immigration – Related Unfair Employment Practices at (800) 255-7688 or (202) 653-5710 (TDD number for the hearing impaired).

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## Equal Employment Opportunity Law in Texas

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The law prohibits employers, employment agencies, and labor unions from denying equal employment opportunities in hiring, promotion, discharge, pay, fringe benefits, membership, training, or other aspects of employment because of race, color, national origin, religion, sex, age, or disability.

If you believe you have been discriminated against, call or write the Texas Commission on Human Rights, PO Box 13493, Austin, TX 78711, (512) 437-3450 or (800) 735-2989 (TDD number for individuals with hearing impairments).

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## Fair Labor Standards Act

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### **FEDERAL MINIMUM WAGE**

- \$4.75 per hour beginning October 1, 1996
- \$5.15 per hour beginning September 1, 1997

Employees under 20 years of age may be paid \$4.75 per hour during their first 90 consecutive calendar days of employment with an employer. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates by the Department of Labor.

Employers of “tipped employees” must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee’s tips combined with the employer’s cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

### **OVERTIME PAY**

At least 1 ½ times your regular rate of pay for all hours worked over 40 in a work week (nonexempt employees).

### **CHILD LABOR**

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years of age may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

- No more than three hours on a school day or 18 hours in a school week.
- No more than eight hours on a non-school day or 40 hours in a non-school week.

Also, work may begin before 7 a.m. or end after 7 p.m., except from June 1<sup>st</sup> through Labor Day, when evening hours are extended to 9 p.m. Different rules apply in agricultural employment.

## **ENFORCEMENT**

The Department of Labor may recover back wages either administratively or through court action for employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Fines of up to \$10,000 per violation may be assessed against employers who violate the child labor provision of the law and up to \$1,000 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions. This law prohibits discriminating against or discharging worker who file a complaint or participate in any proceedings under the Act.

### **Note**

Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.

Special provisions apply to workers in American Samoa.

Where state law requires a higher minimum wage, the higher standard applies.

For additional information, contact the Wage and Hour Division office nearest you, listed in your telephone directory under U.S. Government, Labor Department.

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## **Employee Polygraph Protection Act**

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The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

### **PROHIBITIONS**

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or exercising other rights under the Act.

### **EXEMPTIONS**

Federal, state, and local governments are not affected by the law. Also, the law does not apply to tests given by the federal government to certain private individuals engaged in national security-related activities.

The Act permits polygraph tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard) and of pharmaceutical manufacturers, distributors, and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

### **EXAMINEE RIGHTS**

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the

right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

### **ENFORCEMENT**

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties of up to \$10,000 against violators. Employees or job applicants may also bring their own court actions.

Additional information may be obtained and complaints of violations may be filed at local offices of the Wage and Hours Division, which are listed in the telephone directory under U.S. Government, Department of Labor, Employment Standards Administration.

*The law does not preempt any provision of any state or local law or any collective bargaining agreement, which is more restrictive with respect to lie detector tests.*

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## **Job Safety and Health Protection**

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The Occupational Safety and Health Act of 1970 provides job safety and health protection to workers by promoting safe and healthful working conditions throughout the nation. Provisions of the Act include the following:

### **EMPLOYERS**

All employers must furnish to employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees. Employers must comply with occupational safety and health standards issued under the Act.

### **EMPLOYEES**

Employees must comply with all occupational safety and health standards, rules, regulations, and orders issued under the Act that apply to their own actions and conduct on the job.

The Occupational Safety and Health Administration (OSHA) of the U.S. Department of Labor has the primary responsibility for administering the Act. OSHA issues occupational safety and health standards, and its compliance safety and health officers conduct job-site inspections to help ensure compliance with the Act.

### **INSPECTION**

The Act requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the OSHA inspector for the purpose of aiding the inspection.

When there is no authorized employee representative, the OSHA compliance officer must consult with a reasonable number of employees concerning the safety and health conditions in the workplace.

### **COMPLAINT**

Employees or their representative have the right to file a complaint with the nearest OSHA office requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. OSHA will withhold, on request, names of employees complaining.

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or for otherwise exercising their rights under the Act. Employees who believe they have been discriminated against may file a complaint with their nearest OSHA office within 30 days of the alleged discriminatory action.

### **CITATION**

If upon inspection OSHA believes an employer has violated the Act, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected.

The OSHA citation must be prominently displayed at or near the place of the alleged violation for three days or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

### **PROPOSED PENALTY**

The Act provides for mandatory civil penalties against employers of up to \$7,000 for each serious violation and for optional penalties of up to \$7,000 for each non-serious violation. Penalties of up to \$7,000 per day may be imposed for failure to correct violations within the proposed time period and for each day the violation continues beyond the prescribed abatement date. Also, any employer who willfully or repeatedly violates the Act may be assessed penalties of up to \$70,000 for each violation. A minimum penalty of \$5,000 may be imposed for each willful violation. A violation of posting requirements can bring a penalty of up to \$7,000.

There are also provisions for criminal penalties. Any willful violation resulting in the death of any employee, upon conviction, is punishable by a fine of up to \$250,000 (up to \$500,000 if the employer is a corporation), or by imprisonment for up to six months, or both. A second conviction of an employer doubles the possible term of imprisonment. Falsifying records, reports, or applications is punishable by a fine of \$10,000, or by imprisonment for up to six months, or both.

### **VOLUNTARY ACTIVITY**

While providing penalties for violations, the Act also encourages efforts by labor and management, before an OSHA inspection, to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries. OSHA's Voluntary Protection Programs recognize outstanding efforts of this nature.

OSHA has published safety and health program management guidelines to assist employers in establishing or perfecting programs to prevent or control employee exposure to workplace hazards. There are many public and private organizations that can provide information and assistance in these efforts, if requested. Also, your local OSHA office can provide considerable help and advice on solving safety and health problems or can refer you to other sources for help, such as training.

### **CONSULTATION**

Free assistance in identifying and correcting hazards and in improving safety and health management is available to employers, without citation or penalty, through OSHA-supported programs in each state. These programs are usually administered by the state labor or health department or by a state university.

# The Uniformed Services Employment and Reemployment Rights Act

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USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service. USERRA also prohibits employers from discriminating against past and present members of the uniformed services and applicants to the uniformed services.

## **REEMPLOYMENT RIGHTS**

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

## **RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION**

If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

Then an employer may not deny you any of the following because of this status:

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

## **HEALTH INSURANCE PROTECTION**

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

### **ENFORCEMENT**

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

For assistance in filing a complaint or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at <http://www.dol.gov/vets>. An interactive online USERRA advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, depending on the employer, for representation.

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

# Organization of the College

## History

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South Texas College (STC), formerly known as South Texas Community College (STCC), is the 50<sup>th</sup> and fastest growing community college in the state of Texas. Established September 1, 1993, STC is the only community college to have been legislatively mandated. Senate Bill 251, establishing STCC, was signed into law by former Governor Ann Richards at a signing ceremony on June 1, 1993. The new mandate converted the McAllen Extension Center of Texas State Technical College into a comprehensive community college serving the citizens of Hidalgo and Starr Counties. STC fills the many educational needs of the community, which until now, was the largest geographic region in Texas not served by a community college. With the passage of NAFTA, the College is an important tool to help the community prepare for the rapid changes and prosperity that are forthcoming. In short, STC has opened the door to the future of the Rio Grande Valley! The College is composed of five campuses/centers, including three in McAllen (Pecan Campus, Technology Center, and Dr. Ramiro R. Casso Nursing and Allied Health Center), the Mid-Valley Campus located in Weslaco, and the Starr County Campus located in Rio Grande City. The College serves a population of more than 600,000 in the immediate community area.

## Accreditation

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South Texas College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award the Associate of Arts, the Associate of Science, and the Associate of Applied Science degrees. South Texas College's offerings are approved by the Texas Higher Education Coordinating Board and the Texas Education Agency.

### **LEVEL II ACCREDITATION**

STC will begin offering its new degree program, a Bachelor of Applied Technology in Technology Management, in fall 2005.

The final approval came in December 2004 during an accreditation announcement at the Southern Association of Colleges (SACS) annual meeting. STC, along with two other institutions, are the first Texas community colleges accredited to offer a limited number of bachelor's degrees. The three institutions were selected from among the state's 50 community colleges to be part of a 10-year pilot project approved by the Texas Legislature in its 2003 session.

The accreditation process involved an extensive evaluation and review of the credentials of STC faculty teaching courses leading to a bachelor's degree. SACS also required a comprehensive evaluation of STC's library, technology resources, and instructional support services.

STC will continue its mission to offer associate degrees and certificates programs.

# Executive Administrative Offices Summary of Duties and Responsibilities

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## **PRESIDENT**

The President serves as the Chief Executive Officer of the College. The President provides leadership for all aspects of the College through personal vision, strategic management, and student-centered goal development. The President interprets, administers, and enforces policies made by the Board of Trustees. The President sets the standards of performance for the faculty and staff of the College.

## **VICE PRESIDENT FOR FINANCE AND ADMINISTRATIVE SERVICES**

This position is responsible for maintaining sound fiscal management and for developing and maintaining policies in the areas of finance and administrative services. The Vice President provides leadership in the implementation of finance and administrative programs and in facilities planning and management to support the teaching-learning process. The Vice President also provides leadership for effective management and ensures regulatory compliance in business, purchasing, human resources, facilities, and general services. In addition, the Vice President is charged with maintaining a clean and safe working environment for employees and students. Furthermore, this office oversees physical plant operations as well as general planning and construction activities.

## **VICE PRESIDENT FOR INFORMATION AND TECHNOLOGY SERVICES**

This position is responsible for providing leadership in the development and integration of academic and administrative computing, communications, networking, and institutional research and the creation of applications for the telecommunications, instructional, and distance learning technologies. In addition, this office integrates all information and technology strategies for the College. The Vice President continuously improves the efficiency, effectiveness, and operational soundness of ITS operations and services.

## **VICE PRESIDENT FOR INSTRUCTIONAL SERVICES**

This position serves as the Chief Instructional Officer of the College. This position initiates the development of the learner-centered philosophy and focuses on faculty and staff commitments toward student learning and success. The Vice President assesses the quality and effectiveness of all instructional programs and formulates plans for continued improvement. The Vice President collaborates with business, industry, and educational partners for the development of quality instructional programs. This office promotes inter-institutional cooperation with four-year institutions and school districts. In addition, this position ensures compliance with accreditation requirements.

## **VICE PRESIDENT FOR STUDENT SERVICES AND DEVELOPMENT**

This position serves as Chief Student Services Officer for the College and oversees all functions associated with admissions and records, outreach, testing, student information centers, financial aid, counseling, advising, student activities, and placement. This position also develops and implements the enrollment management plan for all campuses. The Vice President also maintains student-centered philosophy and focuses student development initiatives on successful student outcomes, including enrollment program selection, retention, graduation, and placement/transfer success.

## **EXECUTIVE DIRECTOR FOR WORKFORCE AND RESOURCE DEVELOPMENT**

This position provides leadership, administrative, and operational direction for the College's workforce and development initiatives. This position directs efforts to provide workforce training and development to area industry and business.

## **Faculty's Role and Participation in Academic and Institutional Affairs**

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Faculty at South Texas College are valued as competent experts whose primary responsibilities are to work both individually and collaboratively to design and create learning opportunities to maximize student success.

A job description for faculty can be found in the Faculty Handbook. As part of their essential duties and responsibilities, faculty are to contribute to the department, division, and college operations by participating on committees, teams, and task forces to facilitate a climate that continuously promotes learning.

To promote the extent of faculty's participation in academic and institutional affairs, South Texas College has created several vehicles and opportunities that welcome and encourage faculty participation through committees, teams, councils, and task forces.

## **Opportunities for Faculty**

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### **FACULTY SENATE**

The STC Faculty Senate is in operation and encourages the participation of all faculty. The Faculty Senate President is a member of key councils at the college.

### **INSTRUCTIONAL/STUDENT SERVICES COUNCIL**

The Instructional/Student Services Council is composed of the Vice President for Instructional Services, the Vice President for Student Services and Development, and other key administrators from the Instructional/Student Services divisions. The Council also has members' liaisons from other areas of the College. In addition, the Council's membership includes the Faculty Senate President and a faculty representative from each of the four instructional divisions.

### **COUNCIL OF CHAIRS**

The Council of Chairs is composed of faculty who serve as chairs of programs/departments. The purpose is to serve as a forum for discussion of concerns to chairs, to serve to facilitate professional development of chairs, to serve as a support system for chairs, and to serve in an advisory role to administrators regarding instructional issues.

### **FACULTY ADVISORY COUNCIL**

Because of a desire to directly hear and address faculty concerns, the President created the Faculty Advisory Council. This group provides open, candid, and collegial dialogue and advises the President on issues of concern to faculty. The 18-member Faculty Advisory Council is composed of the Faculty Senate President and 17 faculty members representing the five instructional divisions.

## COMMITTEES, TEAMS, AND TASK FORCES

A wide variety of special committees, teams, and task forces have been established to provide opportunities for faculty input and participation. Check the Office of Instruction's web page for a complete listing, including membership and descriptions of each.

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## Board of Trustees

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### — OFFICERS —

**Roy De Leon, Chair:** Vice President of the Laredo National Bank – McAllen

**Irene Garcia, Secretary:** Retired Administrator, La Joya ISD and Hidalgo ISD

### — MEMBERS —

**Mike Allen:** President/CEO, McAllen Economic Development Corp.

**Manual Benavidez Jr.:** Director of Transportation, Rio Grande City ISD

**Gary Gurwitz:** Senior Partner, Atlas and Hall, L.L.P. – McAllen

**Dr. Alejo Salinas Jr.:** Retired Administrator, Hidalgo ISD

**Jesse Villarreal:** Parental Involvement Department, Weslaco ISD

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## Administration

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### — EXECUTIVE OFFICERS —

**Shirley A. Reed, Mba, EdD:** President

**Juan Mejia:** Interim Vice President for Instructional Services

**Diana A. Pena:** Vice President for Finance and Administrative Services

**William Serrata:** Interim Chief Officer of Student Services

**Jose Cruz:** Vice President for Information and Technology Services

**Wanda Garza:** Executive Director for Workforce and Resource Development

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## Affiliations

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Alliance for Community College Innovation (ACCI)

American Association of Collegiate Registrars and Admissions Officers (AACRAO)

American Association of Community and Junior Colleges

American Association of Community College Trustees

American Health Information Management Association

American Occupational Therapy Association (AOTA)

American Physical Therapy Association's Commission on Accreditation in Physical Therapy

American Registry of Radiologic Technologists (ARRT)

Asociacion Regional de Maquiladoras de Reynosa, S.A.

Association of Texas Colleges and Universities

Association on Higher Education and Disability

Board of Nurse Examiners for the State of Texas  
Board of Vocational Nurse Examiners  
College and University Professional Association for Human Resources (CUPA - HR)  
Hidalgo County Library System  
Hispanic Association of Colleges and Universities  
International Association of GM-ASEP Schools (IAGMASEP)  
Junior/College Student Personnel Association of Texas  
McAllen Chamber of Commerce  
NAFSA: Association of International Educators  
National Association of College and University Business Officers (NACUBO)  
National Association of Colleges and Employers (NACE)  
National Association of Student Financial Aid Administrators (NASFAA)  
National Coalition of Advanced Technology Centers  
National Community College Hispanic Council (NCCHC)  
National Organization of Associate Degree Nursing (N-OADN)  
Society for Human Resource Management (SHRM) (National & Local Chapter)  
South Texas Association of Registrars and Admissions Officers (STARAO)  
South Texas Manufacturers' Association  
Southern Association of College and University Business Officers (SACUBO)  
Southern Association of Colleges and Schools  
Southern Association of Collegiate Registrars and Admissions Officers (SACRAO)  
Southern Building Code Congress International (SBCCI)  
Southern Intercollegiate Volleyball Association (SIVA)  
Southwest Association of Student Financial Aid Administrators (SWASFAA)  
Tech Prep of the Rio Grande Valley  
Texas Administrators of Continuing Education for Community/Junior Colleges  
Texas Association for College Admission Counseling (TACAC)  
Texas Association of Chicanos in Higher Education (TACHE)  
Texas Association of Collegiate Registrars and Admissions Officers (TACRAO)  
Texas Association of Community College Human Resource Professionals (TACCHRP)  
Texas Association of Community College Trustees & Administrators (TACCTA)  
Texas Association of Community Colleges  
Texas Association of Community Colleges Foundations, Inc.  
Texas Association of Student Financial Aid Administrators (TASFAA)  
Texas Collegiate Soccer League (TCSL)  
Texas Community College Teachers Association (TCCTA)  
Texas Counseling Association  
Texas Department of Health  
Texas Department of Human Services  
Texas Organization of Associate Degree Nursing (T-OADN)

# General Policies and Procedures

## College Admissions Procedure

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The College maintains an open admission policy, which is compatible with the stated purpose of the College and with the role of a community college. As a public community college in the state of Texas, STC is obligated to meet the requirements for admission policies as set forth by the THECB. The Dean of Enrollment Services/Registrar implements procedures to ensure compliance with these requirements. Any questions, comments, or requests for assistance concerning the enrollment process or any other aspect of the admission procedures should be directed to the Dean of Enrollment Services/Registrar.

## General Policies and Procedures Policy Development

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The Board of Trustees has the responsibility of formulating policy for the operation of the College. As Chief Executive Officer of the College, the College President is charged with the duties and responsibilities of developing, revising, recommending to the Board, and implementing Board policy. Before developing and implementing policy, the College President will seek advice and recommendations through the administrative structures where such policies have an impact.

Where the policy evolves from federal law, Texas law, or agency regulation, the policy must also be reviewed by College legal counsel.

## Code of Ethics Policy Statement Policy 4000 (08/10/95)

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South Texas College applies the highest ethical standards to all members of the College community, including the Board of Trustees, administration, staff, and faculty, in achieving its mission and in managing its resources efficiently and effectively to reach its goals and objectives. The College shall include a code of ethics for Board members, administration, staff, and faculty in its policy manual.

The College seeks to treat each person of the College community as a unique individual and provide a positive, encouraging, and success-oriented environment. College policies and practices that protect the rights and development of each individual in the College community shall be enforced. Protection from unlawful discrimination, including conduct that constitutes sexual harassment, and freedom to develop as a student and/or College employee shall be promoted.

The College accepts its responsibilities to its students, to its employees, and to the members of the community. The College is committed to meet these responsibilities with balance, fairness, accountability, and ethical integrity.

# Code of Professional Ethics for the Administration, Faculty, and Staff

## Policy 4001 (08/10/95)

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Administration, faculty, and staff affirm the inherent worth and dignity of all persons and the right of all persons to learn. Learning best occurs in an environment devoted to the pursuit of truth, excellence, and liberty. These flourish where both freedom and responsibility are esteemed.

In order to express more adequately the affirmation for our professional responsibilities, we the administration, faculty, and staff do adopt and hold ourselves and each other subject to the following Code of Professional Ethics:

- The administration, faculty, and staff are committed to creating a collegial environment in which all persons are treated with respect, dignity, and justice, discriminating against no one on any arbitrary basis such as race, creed, sex, age, religion, disability, or social station.
- The administration, faculty, and staff shall strive to help each student realize his or her full potential as a learner and as a human being.
- The administration, faculty, and staff shall, by example and action, encourage and defend the unfettered pursuit of truth by both colleagues and students, supporting the free exchange of ideas, observing the highest standards of academic honesty and integrity, and seeking always an attitude of scholarly objectivity and tolerance of other viewpoints.
- The administration, faculty, and staff, recognizing the necessity of many roles in the educational enterprise, shall work in such a manner as to enhance cooperation and collegiality among students, faculty, administrators, and non-academic personnel.
- The administration, faculty, and staff shall recognize and preserve the nature of professional relationships, neither disclosing nor encouraging the disclosure of rumor, which might damage or embarrass any other person.
- The administration, faculty, and staff shall maintain competence through continued professional development, shall demonstrate competence through consistently adequate preparation and performance, and shall seek to enhance competence by accepting and appropriating constructive criticism and evaluation.
- The administration, faculty, and staff shall exercise the highest professional standards in the use of time and resources.
- The administration, faculty, and staff, recognizing the needs and rights of others as embodied in the institution, shall fulfill the employment obligations both in spirit and in fact, shall give reasonable notice upon resignation, and shall neither accept tasks for which he or she is not qualified nor assign tasks to unqualified persons.

- The administration, faculty, and staff shall support the goals and ideals of the institution and shall act in public and private affairs in such a manner as to bring credit to the institution.
- The administration, faculty, and staff shall observe the stated rules and regulations of the College.
- The administration, faculty, and staff shall participate in the governance of the institution by accepting a fair share of committee and institutional responsibilities.
- Members of the administration, faculty, and staff shall not support the continuation of a colleague known by him or her to be persistently unethical or professionally incompetent.
- The administration, faculty, and staff shall accept all the rights and responsibilities of citizenship, including participation in the formulation of public policy and by always avoiding the use of the privileges of his or her public position for private or partisan advantage.

## Standards of Conduct

### Policy 4002 (11/09/95)

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Employees of South Texas College are expected to adhere to all federal, state, and municipal laws and ordinances. Employees shall also adhere to all College policies and procedures as well as other guidelines and rules of all regulating agencies or entities having jurisdiction over College activities.

Employees shall not accept or solicit any gift, favor, service, or benefit related to employment at the College. Likewise, employees may not solicit, accept, or agree to accept any unauthorized gift, favor, service, or other benefit from having exercised the powers and responsibilities of their official College position. This does not include logo items with a value of less than \$10.

Employees shall not conduct private business using college equipment, systems, supplies, or facilities, nor transport or use college equipment, systems, supplies, or facilities for personal purposes. Employees may not conduct private business with the College. Employees may not earn additional compensation for work/projects done for the college which requires the same skills or consists of the same responsibilities inherent in their position with the College. Private business on the part of the employee may not conflict with the duties, responsibilities, or time commitment required by the employee's position with the College.

College employees whose position allow/require participation in the selection process for textbooks or any material from which the employee might personally gain shall completely withdraw from such processes by not participating in any discussion or by voting on any recommendation related thereto.

Employees shall not participate, directly or indirectly, in activities that relate to, or consist of, the sale or exchange of complimentary textbooks, software, laboratory manuals, or other educationally related items and that result in financial benefit to the employee.

## Sexual Harassment

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South Texas College has zero tolerance for sexual harassment of its students, staff, and faculty. Any form of sexual harassment will be considered a serious matter to be dealt with accordingly.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. These actions constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education.
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual.
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment, education, or living environment.

It is the policy of South Texas College that supervisors and faculty shall not enter into any type of romantic or sexual relationship with staff under their supervision or with students enrolled in their courses. Such relationships will be looked upon as potentially detrimental to the working and learning environment, considered inappropriate and unacceptable, and grounds for disciplinary action, including termination for all appropriate persons involved. ***Refer to Policy 4212***

Employees who believe they have been sexually harassed or discriminated against should be advised to contact their supervisor or the administrator at the next higher level or Shirley Ingram, Director of Human Resources, at 872-5051. Students who believe they are victims of sexual harassment or discrimination should be advised to contact the alleged offender's division dean, the Student Ombudsperson, or the Interim Chief Officer of Student Services and Development.

Any sexual harassment complaint will be investigated immediately. Employees who report any alleged or substantiated violation of the sexual harassment policy will not be intimidated, disciplined, nor reprimanded for having reported the allegations or violations. Your awareness, cooperation, and actions to make South Texas College an environment free of sexual harassment are essential.

## Racial/Ethnic Harassment

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It is the policy of South Texas College to ensure an environment for all employees and students, which is fair, humane, and respectful – an environment which supports and rewards employees performance on the basis of relevant considerations, such as ability and effort.

Any inappropriate behavior which asserts a person's race, ethnicity, or ancestry as relevant to employee or student performance is unacceptable. Examples of conduct that constitutes racial harassment include racially derogatory remarks, racial slurs, or any other racially motivated actions.

Any employee who is found to have engaged in such conduct shall be subject to appropriate disciplinary action, up to and including dismissal, in accordance with procedural and due process requirements. This policy shall be applied without regard to the race of the employee involved.

Employees who believe that they have been racially harassed or discriminated against should be advised to contact their supervisor or the administrator at the next higher level or Shirley Ingram, Director of Human Resources, at (956) 872-5051. Any racial harassment complaint will be investigated immediately.

Nothing in this policy should be interpreted to prohibit or restrict speech that is permitted by the Texas or U.S. Constitutions. **Refer to Policy 4208**

## The “Whistle Blower” Act Policy 4209 (11/09/95)

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South Texas College complies with the provisions of the “Whistle Blower Act.” The 68<sup>th</sup> Texas Legislative Session passed H.B. 1075 relating to the protection of public employees who report a violation of the law. It protects a public employee from retaliation, such as being fired, put on leave, or otherwise discriminated against, by a government employer if the employee acting in good faith reports violation of the law to an appropriate law enforcement authority.

The law is commonly referred to as the “Whistle Blower Act.” For additional information or for a copy of H.B. 1075, contact the Office of Human Resources.

## Smoking

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South Texas College is a smoke free environment. Smoking is not allowed in any campus building. Outdoor smoking areas are located throughout campuses.

## Drug-Free Workplace and Campuses

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It is the policy of South Texas College that drug-free campuses and workplace conditions be maintained. No student on campus and no employees at any work station shall unlawfully manufacture, distribute, dispense, possess, or use on or at the campus or workplace any narcotic drug, alcohol, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance as defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC) and as further defined by Sections 21 CFR 1308.11 through 1308.15.

The workplace is defined as site for the performance of work. This includes any school building, school premises, or any school-owned vehicle or other school-approved vehicle used to transport students to and from school or school activities. It also includes off school property during any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event where students are under the jurisdiction of the school. Employees who violated this policy are subject to appropriate disciplinary action including termination of employment.

State monies may not be used to purchase alcohol or alcoholic beverages for personal consumptions or entertainment. This prohibition applies regardless of the source for the monies used to purchase the alcohol or beverages. The monies appropriated by the general appropriations act may not be used to pay the salary of an employee who used alcoholic beverages while on active duty. **Refer to Policy 4213**

## Handgun Prohibition Policy 6325 (11/09/95)

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The Texas Concealed Weapons Act allows people to obtain a license to carry concealed handguns and the Act specifically provides that it does not limit the right of public employers to prohibit persons who are licensed under the Act from carrying a concealed handgun on their premises.

The Board of Trustees deems it in the best interest of the College to prohibit the carrying of concealed weapons on all College premises.

The Board of Trustees prohibits all persons licensed to carry a handgun under the Act from entering any College building while carrying a weapon. The exception to this rule shall be for licensed peace officers. All licensed officers must carry their weapons 24 hours per day. The President is hereby authorized and directed to have appropriate notices posted on all College premises to alert employees and third parties who com on the premises of the prohibition.

## Workplace Violence Policy 4214 (06/11/98)

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South Texas College encourages a safe campus environment. For the purpose of this policy, violence is defined as the deliberate and wrongful violation, damage, or abuse of persons or property and includes threats of violence. Acts and threats of violence include, but may not be limited to verbal, nonverbal, physical, or other violent acts or threats.

Any employee, student, or other person who is found to have engaged in any violent conduct will be subject to appropriate disciplinary action, up to and including dismissal. South Texas College will implement reasonable precautions for the protection of its employees, students, and others lawfully on campus and will establish procedures for reporting, investigating, and documenting incidents of violence on campus. Furthermore, any employee, student, or other person who is found to have engaged in any violent conduct may be reported to law enforcement authorities.

## Communicable Diseases

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- I. Communicable disease means an illness due to an infectious agent or its toxic product that arises through transmission of that agent or its products from a reservoir to a susceptible host and as further defined in the Texas Health and Safety Code, Section 81.001.

- II. Communicable diseases include, but are not limited to measles, influenza, hepatitis, human immunodeficiency virus (HIV), acquired immunodeficiency syndrome (AIDS), AIDS-related complex (ARC), meningitis, meningococcal infections, and tuberculosis.
- III. Any decision of South Texas College concerning a person who has a communicable disease shall be based on current and well-informed medical judgment, which includes the nature of the disease, risk of transmission to others, symptoms and special circumstances of the person, balancing identifiable virus and available alternatives to respond to a student or employee with a communicable disease.
- IV. The decision that a person poses a threat will be based solely on knowledge about:
  - a) The duration of the risk.
  - b) The nature and severity of the potential harm.
  - c) The likelihood that potential harm will occur.
  - d) The imminence of the potential harm.
- V. College faculty, staff, and students participating in clinical and laboratory programs that require the handling of blood, blood products, or body fluids are required to observe the universal precautions and safety guideline prescribed by the U.S. Public Health Service.
- VI. College faculty and staff members who supervise students in clinical and laboratory programs will monitor compliance with the precautions and guidelines prescribed by the U.S. Public Health Service.
- VII. The medical history or records of any employee or student are considered confidential information and may not be released without the individual's written consent except as otherwise provided by law. All employee medical records are kept in a confidential file, separate from the personnel file. **Refer to Policy 4400**

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## HIV/AIDS Workplace Guidelines

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The 71<sup>st</sup> Texas Legislature determined that the creation of workplace guidelines is necessary to assure that the rights and privileges of individuals infected with HIV are protected.

Current scientific and medical technology has determined that there is no risk of HIV/AIDS transmission in the normal work setting. Routine daily encounters with co-workers or students pose no risk of transmitting the fragile, blood-borne virus.

Because modes of transmitting HIV do not involve environmental factors, but rather particular behaviors, HIV/AIDS infected individuals should not only be allowed, but encouraged to remain contributing members of the workforce. STC employees, as long as they are reasonably able to function in the job duties assigned, have the right under the law to continue working.

Based on the Federal Privacy Act, the Texas Commission on Human Rights Act, and the Texas Communicable Disease Prevention and Control Act, any medical documentation or information provided by an HIV infected employee to medical or management personnel must be considered confidential and private information. As such, STC officials are forbidden by law to disclose this information without the employee's knowledge and consent, except as provided by law. **Refer to Policy 4401**

# Campus Security

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South Texas College fully complies with the published mandates of the Student Right to Know and Campus Security Act (Public Law 101-542), the Higher Education Technical Amendment of 1991 (Public Law 102-26) and the Higher Education Amendments of 1992 (Public Law 102-325). It is also the policy of South Texas College that:

- Anyone observing a crime committed on campus or at any College function shall be encouraged to report such crime to the proper authorities.
- Traffic and suspicious activities on campus shall be monitored by security personnel to ensure the safety and security of our students, staff, faculty, and visitors.
- Campus security procedures shall be defined and communicated clearly to students and employees, including encouraging students to be responsible for their own security.
- Criminal activity occurring at off-campus College functions shall be monitored and recorded through communications with local police agencies.

## Authority of Security Personnel Policy 6311 (11/09/95)

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All security personnel have the authority to request identification from any person on College premises. All security personnel have the authority to issue citations for or cause the removal of any vehicle on any College premise that is in violation of College parking regulations. All security personnel have the authority to cause any person disrupting normal campus activities to be removed from College premises. The procedures are set out under Section 51.20, Chapter 504 of the Texas Education Code.

All security personnel are empowered to cause the removal from College premises any person possessing a firearm in violation of policies. All security personnel are empowered to cause the removal from College premises any person possessing or using any narcotic drug, central nervous system stimulant, hallucinogenic drug, barbiturates, or alcoholic beverages as defined in applicable articles of the Texas Penal Code, Texas Education Code, and Controlled Substance Act.

## Campus Parking and Traffic Controls Policy 6410 (06/19/03)

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The College shall establish rules and regulations for the safety and welfare of students, employees, and property. The College shall establish other rules and regulations deemed necessary to provide for the operation and parking of vehicles on the grounds, streets, drives, alleys, and any other institutional property under its control, including, but not limited to the following:

- Limiting the rate of speed.

- Assigning parking spaces and designating parking areas and their use.
- Prohibiting parking as it deems necessary.
- Removing vehicles parked in violation of institutional rules and regulations or law at the expense of the violator.
- Instituting a system of registration for vehicle identification. (Texas Education Code 51.202(a))

It shall be unlawful for any person to park a vehicle on any property under the control and jurisdiction of the College except in the manner designated by the College and in the spaces marked and designated by the College. It shall also be unlawful to block or impede traffic through any driveway on College property. All laws regulating traffic apply to the operation of vehicles within the property of the College. (Texas Education Code 51.205)

The College may provide for the issuance and use of suitable vehicle identification insignia. The College may bar or suspend the permit of any vehicle from driving or parking on any College property for the violation of any rule or regulation. Reinstatement of the privileges may be permitted. (Texas Education Code 51.207)

Enforcement of all College traffic and parking matters shall be the responsibility of campus security. The same procedures shall be followed as exist in connection with the use of parking and traffic violation tickets by the cities of this state and the Texas Highway Patrol. In addition, it will be the duty of each security personnel to issue citations for any violations under the College's parking rules and regulations. (Texas Education Code 51.206)

Individuals are responsible for the payment of each citation issued to them. The payment may be made at the Cashiers Department or mailed to the Cashiers Department using the citation envelope. If a student fails to pay for a citation, a hold will be placed on their record. If an employee fails to adhere to the rules and regulations, the employee is subject to adverse personnel actions as referenced in Policy 4920.

Individuals are permitted to submit a written appeal for a citation. A committee will review the appeal and respond in writing. The decision of the Committee will be final and the individual shall abide by the Committee's decision.

## Information Resources Security Policy 4712 (02/13/97)

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Automated information and information resources under management by South Texas College are strategic and vital assets. Measures shall be taken to protect these assets against accidental or unauthorized disclosure, modification, or destruction as well as to ensure the security, reliability, integrity, and availability of information.

The following applies to all personnel at South Texas College who use information resources:

- I. Access to and use of computing resources is restricted to appropriately identified, validated, and authorized users. College policy requires that College-owned information resources be used only for official College purposes.
- II. All identifications, passwords, telephone numbers, and other “access means” to information resources are confidential and proprietary to the College. Holders of such access means are accountable for unauthorized or negligent disclosure or use of access means under their control. No individual may access data or other information resources that are not authorized for that individual. Personnel are not to share assigned logon IDs and/or other passwords with anyone.
- III. All computer programs, software, and electronic information that are a part of information resources are proprietary to the College and must not be copied or disclosed unless explicitly authorized by appropriate management in writing. This section does not supersede College policies on intellectual property rights.
- IV. All computer-generated reports are the property of the College and are considered confidential. Personnel may not use these reports except for internal College business or as required by their job.
- V. No software or related documentation licensed to South Texas College may be copied unless explicitly authorized in writing by the software developer. In cases involving multiple use of single product, for example, in networks, personnel shall use the software only in accordance with the license agreement.
- VI. No hardware or any type of telecommunications device may be connected to any part of a college network, computers, terminals, or lines unless explicitly authorized in writing by appropriate management and in conformance with security policies, procedures, and standards. Employees whose principal duties involve the modification of network architecture are considered appropriate managers.
- VII. No software program or information can be added to or removed from any operating system, database, or file unless explicitly authorized in writing by appropriate management and in conformance with institutional security policies, procedures, and standards. Additionally, software that bypasses, in any manner, approved security software or controls may not be written or installed. In cases where a personal computer is assigned to a specific employee, that individual will be considered the owner of the information contained in that system and is therefore, the appropriate manager as defined in this section.
- VIII. Personnel shall not disclose any confidential, sensitive information unless it is properly required in their jobs or except as authorized in writing pursuant to security policies. Such information includes technical and business information, information systems, software development, and products and software licenses disclosed on a confidential basis to the institution.
- IX. On termination of employment or a contractual relationship with the College or as otherwise requested by appropriate management, personnel must surrender all property and information managed by the College and must not subsequently disclose any confidential or sensitive information.

## **VIOLATIONS OF THIS POLICY**

Any person violating this policy is subject to immediate disciplinary action, which may include termination of employment, expulsion, or termination of a contract. In addition, there may be cases in which a person may be subjected to civil or criminal liability.

# **Access to Information Systems and Electronic Communications Policy 4713 (06/22/00)**

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It is the policy of South Texas College to provide employees with access to technology essential for the performance of their duties. Technology utilized in institutions of higher education includes electronic mail, internet, local area networks, and other systems that encourage wide access to knowledge and sharing of information.

The College administration shall develop appropriate rules and regulations governing the access and usage of these communication technologies. All College employees, as part of gaining authorization to use this equipment and technology, shall agree in writing to abide by the regulations developed to protect the College, its personnel, students, and its resources from inappropriate use.

## **ELECTRONIC FORMS OF COMMUNICATION**

Electronic mail is a common and frequently applied use of College information systems and information resources. Other forms of electronic communication include, but are not limited to, chat rooms, bulletin boards, web pages, lists, instant messengers, and other similar network services. South Texas College provides these forms of electronic communication to employees for performing their specified and assigned duties for the College. This policy determines under what circumstances electronic messages addressed to one person may be accessed by other people within the College and when electronic communications may be disclosed to persons outside the college administration.

It is College policy that electronic communications systems, like other College assets, are to be used for the benefits of the College. Use of electronic communications in violation of other College policies is prohibited and may lead to disciplinary action, up to and including termination.

Any and all opinions made using these systems, whether implied or expressed, are those of the individual and not necessarily the opinions of the College or its administration.

## **OWNERSHIP**

All electronic systems, hardware, software, temporary or permanent files, and any related systems or devices used in the transmission, receipt, or storage of electronic communications are the property of South Texas College. Electronic communications are considered to be College property and may be retrieved from storage even though they have been deleted by the sender or receiver. These electronic communications may be used in disciplinary proceedings.

Supervisors have the authority to inspect the contents of any equipment, files, calendars, or electronic communications of their subordinates in the normal course of their supervisory responsibilities. The system administrator shall extract stored electronic communications when requested to do so by authorized supervisory personnel. Reasons for review include, but are not

limited to, system hardware or software problems, general system failure, regular system maintenance, a lawsuit against the College, suspicion of a crime or violation of policy, or a need to perform work or provide a service when the employee is unavailable.

### **CONFIDENTIAL INFORMATION**

Texas law requires that all employees protect the integrity of the College's confidential information as well as the confidentiality of others.

### **VIOLATIONS**

Violations of these regulations can result in disciplinary action up to and including termination. All electronic communications are subject to all state and federal laws and rules which may apply to the use of electronic communications. In addition, violations of this policy or misuse of electronic communications systems which are of a criminal nature may be referred for criminal prosecution.

## **Guidelines Governing Access and Usage of Communication Technologies**

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### **INTRODUCTION**

The purpose of these guidelines is to provide users of STC electronic communications resources with basic knowledge and general guidance for the proper, fair, efficient, and effective use of those resources. These guidelines comply with existing STC policies and state of Texas standards. For issues not addressed by this document, refer to applicable STC policies or state of Texas standards.

### **DEFINITIONS**

These definitions apply to terms as they are used in the following guidelines.

College/Unit Policy Officer: A person with responsibility for issues having broad-based policy implication for students, faculty, and staff in the college/unit; Dean or similar position.

Education Records: Records specifically related to a student and maintained by an educational institution or a party acting on its behalf. The Family Educational Rights and Privacy Act of 1974 protect these records.

Electronic Communications: The use of computers and network systems in communicating or posting information or material by way of electronic mail, bulletin board systems, electronic facsimiles, chat rooms, instant messaging, Internet/WWW, LAN/WAN tools, or other such electronic tools.

Network Systems: Includes Local Area, Wide Area, and Internet-based voice, video, and data networks, switches, routers, and storage devices.

System or Network Administrator: A college employee responsible for managing the operation of operating system environments of computers or network systems, respectively.

College Computers and Network Systems (Computing Resources): Computers, networks, servers, and other similar devices that are administered by the College and for which the

institution is responsible. Throughout these guidelines, the shortened term “computer resources” is used to mean College computers and network systems.

### **PRIVACY, CONFIDENTIALITY AND PUBLIC RECORDS**

South Texas College will make reasonable efforts to maintain the integrity and effective operation of its electronic communications systems, but users are advised that those systems should in no way be regarded as a secure medium for the communication of sensitive or confidential information. Because of the nature and technology of electronic communications, the College can assure neither the privacy of an individual user’s use of the College’s electronic communications resources nor the confidentiality of particular messages that may be created, transmitted, or received. Users should be aware that electronic communications could, depending on the technology, be forwarded, intercepted, printed, modified, or stored by others. Furthermore, others may access electronic communications as authorized under STC policies. The electronic communications of employees may be subject to the Public Information Act in the same way that printed or typed letters and memos are. **Therefore, employees are strongly encouraged to consider any and every electronic communication they produce, send, or receive with STC resources as public and official communiqué in the execution of their official job duty.**

### **— PERMISSIBLE USES OF ALL ELECTRONIC COMMUNICATIONS —**

#### **AUTHORIZED USERS**

Only College faculty, staff, and students and other persons who have received permission from the Vice President for Information and Technology Services or duly designated school authority are authorized users of the College’s electronic communications systems and resources. Access to electronic communication is a privilege and certain responsibilities accompany that privilege.

#### **PURPOSE OF USE**

The use of any College resources for electronic communications must be related to school business, including academic pursuits particular to any faculty member’s academic discipline. The College provides these forms of electronic communication to employees at College expense for performing only their specified and assigned duties for the College. Users are expected to be ethical and responsible in their use, including making efficient use of College electronic communications resources, and are subject to the provisions of these guidelines and Board policy.

### **— PROHIBITED USES OF ALL ELECTRONIC COMMUNICATIONS —**

Prohibited uses include, but are not limited to:

- Sending copies of documents in violation of copyright laws.
- Inclusion of the work of others in electronic communications in violation of copyright laws.
- Interfering with the intended use or normal operation of the information resources or otherwise harming or damaging College systems.
- Interception or “opening” of electronic communications except as warranted by appropriate school authority and in the execution of College policy and delegated duty.
- Use of electronic communications to harass or intimidate others or to interfere with the ability of others to conduct College business. Also excluded are transmissions that are racist, hostile, sexist, pornographic, or obscene. The recipient may perceive an

unwanted message as abusive, threatening, or harassing, especially if repeated. Such communication may be a breach of College policies and law.

- Using electronic communications to transfer material of a nature that would impede, interfere with, or otherwise diminish an employee's effectiveness at the College.
- Violating policy, rules, or other regulations while utilizing or accessing those systems through the school network.
- Using or knowingly allowing another to use any computer, computer network, computer system, program, or software to devise or execute any artifice or scheme to defraud or obtain money, property, services, or other things of value by false pretenses, false promises, or representations.
- Use of electronic communications systems for any purpose restricted or prohibited by laws or regulations.
- Constructing an electronic communication so it appears to be from someone else or otherwise adopting the identity of another person or affiliate on any electronic communication, using someone else's password, or sending electronic communications anonymously where anonymity is not granted or extended in the conduct of school business.
- Obtaining access to the files or electronic communications of others except as warranted by appropriate school authority and in the execution of College policy and delegated duty.
- Encryption devices are not allowed on college owned electronic resources.
- Attempting unauthorized access to electronic communications, attempting to breach any security measures on any electronic communication system, or attempting to intercept any electronic transmissions without proper authorization.

## — ACCESS AND DISCLOSURE —

### **GENERAL PROVISIONS**

The College reserves the right to access and disclose the contents of faculty, staff, students', and other users' electronic communications without the consent of the user. The College will do so when it believes it has a legitimate business need and only after explicit authorization is obtained from the Vice President for Information and Technology Services or duly designated school authority.

Faculty, staff, and other non-student users are advised that the College's electronic communications systems should be treated like a shared filing system, with the expectation that communications sent or received on College business or with the use of College resources may be made available for review by any authorized College official for purposes related to College business.

Electronic communications of students may constitute "education records" subject to the provisions of federal statute. The College may access, inspect, and disclose such records under conditions that are set forth in the statute.

### **INSPECTIONS AND DISCLOSURE OF COMMUNICATIONS**

South Texas College reserves the right to inspect and disclose the contents of electronic communications as needed to protect health and safety, to prevent interference with the academic mission, to locate substantive information required for College business that is not more readily available by some other means, in the normal course of explicitly defined supervisory responsibilities, or in the course of an investigation triggered by indications of misconduct or misuse.

The College will inspect and disclose the contents of electronic communications when such action is necessary to respond to legal processes and to fulfill the College's obligations to third parties.

### **REPORTING PROHIBITED USES OF ELECTRONIC COMMUNICATION**

If you believe that a violation of these guidelines has occurred, contact the Office of ITS Client Services immediately. There may be situations when the following additional offices should be contacted:

- Office of the Director of Operations and/or the campus security, if an individual's health or safety appears to be in jeopardy.
- Office of Human Resources, if violations occur in the course of employment.
- Office of the Vice President for Information Technology Services (ITS), if an incident potentially bears external or legal consequences for the institution. You may also contact the VP of ITS if you wish to report an incident, but are unable to do so through normal channels.

## **Use of STC Owned Property**

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To avoid misuse or misapplication of property, equipment, or personnel of South Texas College, unless specifically authorized by the Board of Trustees, administration, faculty, staff, and students shall be restricted from:

- Making personal use of any college-owned or leased vehicles, equipment, materials, or services.
- Rendering services for any other person, firm, or corporation during duty hours.
- Using College facilities for any work or business that may directly or indirectly lead to personal gain.

The use of STC property, equipment, and supplies for personal work or projects is forbidden. STC vehicles may not be used for personal business. **Refer to Policy 6330**

## **Release of Student Information**

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Student records are considered to be the property of STC to be used exclusively for the purpose of advisement, guidance, and to officially document credit earned with the College. It is the policy of STC to regard student scholastic records as confidential information. Information contained in these records will be released to persons or agencies outside South Texas College only upon receipt of proper legal authorization or with the written consent of the student concerned. The Office of Admissions and Records is the only office authorized to release copies of student scholastic records.

Faculty and staff members who have legitimate need for information in a student's file, for purposes of advising, counseling, or conducting authorized institutional studies, may have access to student scholastic records as required for these purposes.

## Purchasing Authority Policy 5200 (11/09/95)

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South Texas College procures goods, supplies, materials, and services in a manner consistent with regulations established by the State Purchasing and General Services Administration. The Purchasing Department employees for the College are the only employees authorized to purchase under established state guidelines. In certain situations, the Purchasing Department may authorize another employee to purchase goods, supplies, materials, equipment, or services.

Any employee of the College may be held personally responsible for payment of any unauthorized purchases in the name of the College. Employees of the College shall not accept gifts, either in-kind or of money, or excessive entertainment, from a vendor.

- Gifts include any items not obviously of an advertising nature. Items of an advertising nature are all those with the name of the firm affixed which have a unit value of \$10.00 or less.
- Excessive entertainment shall include, but not be restricted to, transportation beyond district boundaries and overnight accommodations.

The College will not enter into any contract with an employee to sell to or purchase from the employee. The College will in no way do business with any employee acting as an individual, partner, sole proprietor, officer, or director of any firm.

## Public Relations

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The Office of Public Relations and Marketing provides for:

- Disseminating information about the College to the public through the press, radio, television, magazines, special interest publications, and community agencies.
- Answering of queries from the news media.
- Participating in legislative and public affairs affecting the College.
- Coordinating, planning, and producing College publications and printed materials.
- Assisting in planning, promoting, and publicizing special events of the College.

## Solicitation from External Organizations

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Any solicitation done by employees in the name of South Texas College or on behalf of the College shall be approved in advance by the President or President's designee. **Refer to Policy 4810**

## Relationship between Vendors and Employees

### Policy 5212 (11/09/95)

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Employees of South Texas College shall not accept gifts, either in-kind or of money or excessive entertainment from a vendor. Gifts include any items not obviously of an advertising nature. Items of an advertising nature are all those with the name of the firm affixed which do not have a unit value of more than \$10.

Excessive entertainment shall include, but not be restricted to, transportation beyond district boundaries and overnight accommodations.

The College will not enter into any contract with an employee to sell to or purchase from the employee.

The College will in no way do business with any employee acting as an individual, partner, sole proprietor, agent, employee, or director of any firm.

## Reporting Fiscal Abuse

### Policy 5900 (11/09/95)

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It is the policy of the College to establish an environment that assures institutional assets are properly accounted for and safeguarded from loss.

Every College employee has the responsibility to ensure that assets are accounted for and safeguarded from potential loss. College employees should immediately report any fiscal abuse to an appropriate level of management.

When an employee becomes aware of possible fiscal abuse, it is the employee's responsibility to report this abuse immediately. Subsequently, the employee will prepare a written report including the following:

- 1) An outline of the occurrence.
- 2) Any other individual who has knowledge of the possible abuse.
- 3) Any documents that might reflect the possible abuse.

The report shall be sent promptly to a supervisor with a copy sent to the President and another copy sent to the Internal Auditor.

The Internal Auditor will be responsible for investigating reported fiscal abuse. After an investigation is completed, the Internal Auditor will issue a written report to the College management. If the fiscal abuse is determined to be material, it will be reported to the Board of Trustees.

There will be no retribution to the person reporting the fiscal abuse.

## Political Advertising Policy 5920 (11/09/95)

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No officer or employee of the College shall expend or authorize the expenditure of College funds for the purpose of political advertising. Funds may be expended for advertising which describes the factual reasons for a measure and which does not advocate the passage or defeat of such measure.

## Official Travel of Employees

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It is the policy of South Texas College to establish employee travel procedures which are in compliance with the state of Texas Travel Allowance Guide, the travel regulations published in the State Appropriations Travel Section, and the State Management Program administered by the Travel and Transportation Division of General Services Commission.

All official travel on STC business shall have prior approval of an appropriate supervisor. Travel expenses shall be paid for STC employee(s) in accordance with the official State of Texas Travel Allowance Guide.

Mileage is reimbursed for College business travel in a personal vehicle with distance calculated each year in the official State Mileage Guide. The rate of reimbursement is established by the state comptroller.

An employee staying overnight in Texas on business travel will be reimbursed for lodging and meals up to the established maximums. Coordination of travel must occur when two or more STC employees are traveling to the same place within the same time period. College employees traveling on state business within Texas are exempt from the state occupancy tax charged by commercial lodging establishments.

All requests to travel at STC's expense must be submitted through the head of the individual's department. Such requests should be submitted in sufficient time to receive approval prior to the commencement of travel. ***Refer to Policy 5700***

## Federal Copyright Statutes

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College personnel will adhere to the Copyright Law (PL94-553) relating to the fair use and reproduction of copyrighted materials.

### **BACKGROUND**

Copyrighted materials may not be used without the originator's permission. However, the "fair use" (17 USC 107) of copyrighted work, including such use by reproduction of copies for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom or library use), scholarship or research, with certain constraints, is not an infringement of copyright, except in the case of computer software as noted below.

The doctrine of "fair use" encompasses four conditions, all of which must be met if duplication of copyrighted material is to fall under the "fair use" doctrine.

- 1) The purpose and character of the use: The use must be for such purposes as teaching or scholarship and must be nonprofit. The use must be one time only and for a single class. Repeated use and anthologizing are not allowed without copyright permission.
- 2) The nature of the copyrighted work: A copy of the article might be accepted as fair use while copying a workbook for use in class would not be accepted.
- 3) The amount and substantiality of the portion used in relation to the copyrighted work as a whole: For instance no more than 10 percent or 1000 words of text (whichever is less) of prose should be copied.
- 4) The effect of the use upon the potential market for the copyrighted work: If resulting economic loss can be shown, making a single copy might be an infringement. Each instance of reproduction should be evaluated on its own merits in relation to the "fair use" doctrine.

The guidelines offered by the Federal Copyright Office (1) and as set forth in College procedures in making single copies for teachers, multiple copies for teachers, multiple copies for classroom or library use, educational use of music, or off-air recording of programs (whether recorded at the College or elsewhere), apply if permission of the copyright holder has not been obtained. Employees should be familiar with the proviso of the copyright law (17 USC 107 and 108) which prohibits systematic reproduction of copyrighted materials. The guidelines governing fair use are understood to be minimum compliance of the copyright law.

In the case of computer software; generally, only ONE archival copy of a program can be made, with either that copy or the original copy being the only one in use. Use is restricted to a single machine at any given time. Further restrictions or rights are granted within the license agreement that accompanies a software package. In the absence of a licensing agreement, the general rules prevail. Copyright law makes no provision for multiple copies of computer software for classroom use.

# Emergency and Security

## Emergency Procedures

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Everyone is responsible for safety and security:

- Everyone must wear an employee ID.
- Follow approved policies and procedures.
- Inspect tool and equipment before each use.
- Report unsafe conditions.
- Report injuries and accidents.
- Know alcohol, controlled substances, and firearms are not allowed on campus.
- Smoke in designated areas only (not indoors).
- Request training before embarking on new tasks, etc.

If an emergency occurs when you are working on the Pecan Campus, the Starr County Campus, the Mid Valley Campus, the Technology Center, or the Dr. Ramiro Casso, Nursing and Allied Health Center, contact the Campus Security Dispatch/Emergency Response Center by dialing 1-911 or (956) 872-2589 if dialing from the Pecan Plaza or Walnut locations. Report the nature and location of the emergency. The Dispatch Officer will contact the following:

- 1) Contact Campus Security, the custodial staff, or the maintenance staff by radio and advise them of the situation.
- 2) Contact the Police Department, Fire Department, and/or Ambulance Service by telephone. The 911 operator will be advised of the situation and what assistance will be needed.
- 3) Contact the Operations Director and provide all available information.

Faculty Employee Responsibilities are:

- 1) If the situation is an accident or sickness and the person involved is a student, contact the Student Support Services Office and advise them of the situation.
- 2) If the situation is an accident or sickness and the person involved is an employee of the College, contact the Office of Human Resources and advise them of the situation.
- 3) Request additional help and assistance as needed.
- 4) Act as a central point of contact for all information involving the situation.
- 5) Complete an Occurrence Report Form to include all pertinent details. (The form can be found on STC's Web Site under Maintenance and Operations Facilities).
- 6) Instructors are responsible for coordinating the evacuation of all students from the building.

Supervisors are responsible for coordinating the evacuation of employees from the building. Campus security and custodial staff will also go through the building to make sure that everyone has evacuated.

**Note**

Campus Security is on duty 24 hours a day, seven days a week, 52 weeks a year.

## Emergencies for Off-Campus Sites

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If an emergency occurs at any of the off-campus sites, (i.e. Pecan Plaza or any other location) contact the Campus Dispatch/Emergency Response Center by dialing (956) 872-2589. An Occurrence Report Form should be filled out and sent via campus mail or fax (956) 872-8305 to the Operations Department (Facilities) located at the Pecan Campus.

### Note

The most important things to remember when accidents or medical emergencies occur are:

- Call or send for help.
- Never leave the student or employee alone.
- Stay with the student or employee until help arrives.

In the event of witnessing a crime do not endanger your life. Call the appropriate agencies. In the event of finding a suspicious package, leave it alone and contact the appropriate agencies.

## Security

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From time to time, situations arise which may threaten the security and safety of students or instructors. Faculty and staff are expected to wear identification badges for identification while on campus to assist students and visitors with any situation that may arise. If an incident occurs or seems imminent or if a condition exists which may be harmful, please notify your departmental chairperson, campus security and/or the Operations Director. The security and safety of your students should be included in the day-to-day operations of the College.

## Evacuation Procedures for Classrooms

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Evacuating students during an emergency, an instructor should:

- 1) Remain calm.
- 2) Lead class to nearest safe exit.
- 3) Proceed to a safe distance upwind of building.
- 4) Take roll (confirm everyone is accounted for).
- 5) Wait for further instructions.

Each classroom has a primary and secondary route map. One or both of the exit routes may be blocked so proceed with caution.

## Office Safety

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In order to prevent accidents, avoid overloading circuits or using extension cords. Never disconnect electrical appliances by the cord rather than the plug. Report any bad electrical connections to the Maintenance Department by using the Maintenance Work Request Form

located on the STC Web Page. Use all equipment as directed by the manufacturer. Take care in lifting heavy objects. Call the custodial staff if you need help.

## Student Information Centers

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A campus telephone operator is on duty Monday through Thursday, 8:00 a.m. to 8:00 p.m. and Friday from 8:00 a.m. to 5:00 p.m. at the numbers listed below. An operator is not on duty on Saturday or Sunday.

### Pecan Campus

Monday - Thursday: 8:00 a.m. - 8:00 p.m.  
Friday: 8:00 a.m. - 5:00 p.m.  
Saturday: 9:00 a.m. - 2:00 p.m.  
(956) 872-8311 or dial "0"

### Starr County Campus

Monday & Tuesday: 8:00 a.m. - 5:00 p.m.  
Wednesday: 8:00 a.m. - 7:00 p.m.  
Thursday & Friday: 8:00 a.m. - 5:00 p.m.  
(956) 488-8181 or dial "0"

### Technology Center

Monday - Thursday: 8:00 a.m. - 8:00 p.m.  
Friday: 8:00 a.m. - 5:00 p.m.  
(956) 872-6100 or dial "0"

### Dr. Ramiro R. Casso

Nursing Allied Health Center  
Monday - Thursday: 8:00 a.m. - 8:00 p.m.  
Friday: 8:00 a.m. - 5:00 p.m.  
(956) 872-3162

### Mid-Valley Campus

Monday - Thursday: 8:00 a.m. - 8:00 p.m.  
Friday: 8:00 a.m. - 5:00 p.m.  
(956) 447-6600 or dial "0"

- STC Web Address: <http://www.southtexascollege.edu/>
- STC Mailing Address: P.O. Box 9701, McAllen, TX 78502-9701
- STC Operator: (956) 872-4922

## Campus Access

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STC campuses, centers, and sites are open approximately one-hour prior to the first class. All facilities close within one hour of the last class and remain closed during breaks and holidays.

Whenever classes are in session, a custodian is on duty.

Monday - Friday	6:30 a.m. - 11:00 p.m.
Saturday	8:00 a.m. - 8:00 p.m.
Sunday	1:00 p.m. - 6:00 p.m.

## Campus Hours

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Most College offices are open from 8:00 a.m. - 5:00 p.m., Monday through Friday. The Offices of Admissions, Financial Aid, and Student Support Services are open from 8:00 a.m. - 8:00 p.m., Monday through Thursday and 8:00 a.m. - 5:00 p.m. on Fridays. The Office of Human Resources is open until 7:00 p.m. each Wednesday evening. A drop

box is available outside the Cashiers Office on the Pecan Campus for after-hours payments.

For your own personal safety, please refrain from being on campus “after hours.” If the need arises, contact your immediate supervisor for arrangements. Please advise security if you are on campus “after hours.”

## School Cancellations/Delays

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Only the President has the authority to call for school to be closed or delayed.

# Personnel and Payroll

## Personnel Appointments Policy 4115 (05/15/03)

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The President of the College or the President's designee(s) is (are) authorized to employ, set the terms of employment, terminate, suspend, and otherwise make personnel decisions concerning personnel for the Board approved Staffing Plan and temporary positions. No employee of the College other than the President has any authority to make oral or written representations or agreements with any employee for employment for any specified length of time or for employee benefits.

Employees whose positions fall within the Executive Administrative, Faculty, or Professional/Technical Support job classifications, with the exception of the College President, are employed on a one year or less employment contract basis with no expectation of continued employment or property rights beyond the length of appointment.

Adjunct faculty are employed on an as needed basis for a semester with no expectation of continued employment or property rights beyond the semester appointment

Temporary, full-time faculty are employed on an as needed basis for a semester or one year with no expectation of continued employment or property rights beyond the appointment.

Grant-funded employees are employed on an as needed basis for one year or less with no expectation of continued employment or property rights beyond the letter of appointment or timeline of the grant.

All employees whose positions fall within the classified job classification are employed on a non-contractual, at-will basis, and any form authorizing employment of personnel will acknowledge the non-contractual, at-will nature of the position. These employees have no property rights in their employment.

Student employees are employed on a direct wage basis and as needed and have no property rights in their employment.

Any of the above referenced employees may be regular or temporary employees. A regular employee is an employee whose position is included in the Staffing Plan adopted by the Board of Trustees in conjunction with the College's fiscal year budget. A temporary employee is an employee whose position is not included in the Staffing Plan, but is otherwise provided for in the budget or with grant provisions.

**All new hires are considered to be officially employed after they have completed the required hiring documents. Each individual shall report to the Human Resources Office, provide the necessary documents required by the Immigration**

**Naturalization Service, present his/her social security document for the College payroll system, and complete all other new hire paperwork. When the orientation process is concluded, an authorization to work form will be given to the new employee, which allows him/her to report to their respective department and supervisor.**

## College Staffing Plan Policy 4100 (11/09/95)

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The Staffing Plan is the official document listing position titles, employees, and salaries for each fiscal year. It is prepared annually by the staff of the Office of Human Resources during the budget process and is presented for approval to the Board of Trustees with the budget. The Staffing Plan is compatible with Board-approved Wage and Salary Administration policies. The Staffing Plan is not a contract between the College and any person listed on it and neither the Staffing Plan nor any action taken by the Board of Trustees concerning it should be considered creating contract rights, expectations of continued employment, or a property interest for any person listed in the Staffing Plan.

Every employee who joins the ranks of South Texas College should be made to feel welcome and a part of the team from the very first day on the job. Doing everything in our power to make the new employee's adjustment to the job and the work environment as rapid and pleasant as possible can reduce turnover and help develop realistic job expectations and positive attitudes. Toward this end, the STC orientation program is being designed to:

- Let each person who is selected for employment know that we are glad to have him/her as an employee and colleague.
- Provide every new employee with all the information he/she needs to be acquainted with his/her associates.
- Establish channels of communication through which new employees can obtain information, get answers to their questions, and discuss their problems openly with supervisors and others responsible for orientation.
- In addition to the other training issues addressed at new employee orientations, each employee will be instructed on the emergency and security plan of South Texas College.

## Equal Employment Opportunity/Affirmative Action

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South Texas College is an equal employment opportunity/affirmative action employer. As an equal opportunity employer, the College shall not discriminate on the basis of race, color, creed, national origin, religion, age, sex, political affiliation, or physical disability. Discrimination is prohibited and the College will comply with all applicable College policies, and state and federal legislation.

The Federal Equal Employment Opportunity Act of 1972 extended the federal prohibitions against discrimination to state and local governments. Under the Act, the United States Attorney General is authorized to prosecute governments for violations and the Equal Employment Opportunity Commission is required to issue regulations concerning the Act's application and enforcement. Employees who feel that they have been discriminated against may contact the Texas Commission on Human Rights in Austin. A discrimination complaint must be filed within 180 days after the alleged discriminatory action took place.

You and all other South Texas College employees share in the responsibility to improve the College's posture and to undertake steps to meet our stated commitment to equal employment opportunity. We must continue to adhere to the following guidelines:

- To recruit, hire, promote, and transfer all persons on the basis of valid job-related criteria and without discrimination.
- To administer all personnel policies, procedures, and programs for each employee on a nondiscriminatory basis.

As an affirmative action employer, the College will appoint employees in full compliance with existing laws. Qualification guidelines for all positions will be published by the Office of Human Resources and shall be applied consistently and fairly to all applicants. "Qualified" is defined as having the requisite education, training, and/or skills required of the position as defined in the approved job announcement.

The College shall actively seek to increase the number of minority personnel through recruiting and other similar activities. Procedures for advertising vacancies, recruitment, hiring, promotion, compensation, fringe benefits, resolution of grievance, and separations from the College shall be monitored by the Office of Human Resources.

## Discrimination

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Article I, Section 3 of the Texas Constitution provides:

*"All free men, when they form a social compact, have equal rights, and no man, or set of men, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services."*

With respect to state human resource practices, the statute most important to the prevention of discriminatory practices, Article 5221k (Commission on Human Rights Act), deems it an unlawful employment practice for an employer:

- To fail or refuse to hire or discharge an individual or otherwise to discriminate against an individual with respect to compensation or the terms, conditions, or privileges of employment because of race, color, disability, sex, national origin, or age.
- To limit, segregate, or classify an employee or applicant for employment in a way that would deprive an individual of employment opportunities or otherwise

adversely affect the status of an employee because of race, color, disability, religion, sex, national origin, or age.

## Americans with Disabilities Act

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On July 26, 1990, the Americans with Disabilities Act (ADA) was signed into law. This federal law seeks "... to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities."

The ADA prohibits a wide array of discriminatory practices, but one particular standard is noteworthy because it extends to individuals with disabilities an important new tool to enhance their employment opportunities. The federal law makes it illegal to deny employment opportunities to a job applicant or employee who is an otherwise qualified individual with a disability if such denial is based on the need of the employer to make reasonable accommodation to the physical or mental impairments of the employee or applicant.

The term "qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodation, has the qualifications and ability to perform the essential functions of the employment position. Within this definition, the term "reasonable accommodation" means altering existing facilities, perhaps through the acquisition or modification of equipment or devices, to make the workplace readily accessible to and usable by individuals with disabilities. However, this requirement of reasonable accommodation may involve less tangible and obvious means of accommodation, such as job restructuring, part-time or modified work schedules, reassignment to a vacant position, the appropriate adjustment or modification of examinations, training materials, or policies; or the provision of qualified readers or interpreters.

Thus, under the terms of the ADA, the employer cannot deny an otherwise qualified candidate employment because that employer does not want to adjust the workplace to accommodate the person with a disability. The employer is responsible for making reasonable accommodation for the person with a disability and cannot deny that person employment because of an unwillingness to provide reasonable accommodation, unless the employer can prove that the law is an undue hardship which imposes on the employer significant difficulty or expense.

South Texas College complies with Section 504 of the Rehabilitation Act of 1973 and with the American Disabilities Act and does not discriminate on the basis of a disability in the areas of admissions, accessibility, treatment, and employment. Individuals with disabilities, as defined under the law, who are otherwise qualified to meet the institution's academic employment requirements will be provided with services and resources accordingly.

***All employee requests for a reasonable ADA accommodation shall be submitted to the Office of Human Resources for consideration and/or approval.***

## Persons with Disabilities Policy 4206 (06/12/97)

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South Texas College complies with Section 504 of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act. STC does not discriminate on the basis of a disability in the areas of admissions, accessibility, treatment, and employment. Individuals with disabilities, as defined under the law, who are otherwise qualified to meet the institution's academic and employment requirements will be provided with services and resources accordingly.

South Texas College shall not exclude from consideration of employment otherwise qualified applicants with a disability or disabilities because such applicants may require reasonable accommodations for known physical and mental impairments.

During any aspect of the employment process, including without limitation, hiring, promotion, transfer, training, evaluation, and compensation increases, the College shall consider the issues of a reasonable accommodation to the known physical or mental disability or disabilities of an otherwise qualified handicapped or disabled person.

South Texas College supports efforts in making the campus more accessible and encourages individuals with disabilities to participate in all activities. In compliance with regulations listed in Section 504, the college will designate an ADA compliance coordinator.

All requests for reasonable ADA accommodations must be presented to the Office of Human Resources for consideration. Employee and supervisor will be notified if the request can be granted or if the college is unable to grant the request. Please submit this request in writing to the attention of the Director of Human Resources.

## Immigration Reform and Control Act of 1986 Policy 4210 (01/18/01)

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It is the policy of South Texas College to fully comply with the Immigration Reform and Control Act of 1986. As such, the College is committed to employ only U.S. citizens and aliens authorized to work in the United States. College administrators or supervisors shall not discharge present employees or refuse to hire new employees based on foreign appearance or language. All applicants will be advised that if they are selected for employment, they will be required to present documents that will verify identity and eligibility to work in the United States in order to complete the required I-9 Form. The original documents must be presented to the Office of Human Resources within three working days of employment. The requirements are the same for U.S. citizens and nationals as well as aliens authorized to work in the U.S.

The Office of Human Resources shall be responsible for reviewing and verify the authenticity of the required documents in order to comply with the Immigration Act. The department shall retain these documents as required by law. The College shall not be a petitioner for any applicant or employee in obtaining a work permit unless otherwise bound by law to do so.

If an alien applicant has been petitioned to work for another educational institution or a private company only, the College will comply with the Immigration Act, thus disallowing the applicant to work at the College, unless they obtain their own documents from the Immigration and Naturalization Service. The ability to provide the required documents remains solely within the responsibility of the applicant.

## Age Limitations

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The Commission on Human Rights Act (Article 5221k, VACS) prohibits discrimination on the basis of age.

The Federal Age Discrimination in Employment Act Amendments of 1986 lifted the mandatory retirement age. The net effect is that employees are not required to retire at any specific age and employees age 40 and over are protected from age discrimination.

## Personnel Records

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It is the policy of South Texas College to maintain an official personnel file on each employee and to ensure that all files are maintained in conformance with the provisions of the Texas Open Records Act of 1973, established STC Guidelines, and standards established by the Southern Association of Colleges and Schools and the Texas Higher Education Coordinating Board.

It is each employee's responsibility to assist the Office of Human Resources by providing pertinent information and/or required documents.

South Texas College employees have access to their own personnel file and may request an appointment with the Director of Human Resources to review his/her personnel file in the Human Resources Office during normal working hours.

STC's Supervisory Personnel also have access to employee personnel files on a need to know basis.

The Office of Human Resources shall have the responsibility to ensure the following required data/documents are maintained in each individual employee's personnel file:

- 1) Name
- 2) Social Security Number
- 3) Position/Classification Title
- 4) Job Description
- 5) Skill and Education Record (up-to-date information provided by the employee)
- 6) Data Necessary to Verify Payrolls
- 7) Employee Emergency Information
- 8) Medical Records (confidential file)
- 9) All personnel actions to include:
  - a) Appointments
  - b) Promotions
  - c) Transfers
  - d) Reassignments

- e) Removals/Terminations
- f) Suspensions
- g) Demotions
- h) Salary Changes
- i) Notice
- 10) Certifications of Enrollment in Teacher's Retirement System or in Optional Retirement Plan (confidential file)
- 11) Current withholding documents to include:
  - a) W-2
  - b) Voluntary Deductions Forms
- 12) Performance Evaluation
- 13) Leave Records (medical in confidential file)
- 14) Training Records
- 15) Background Material and Justification for Disciplinary Actions
- 16) Reprimands
- 17) Commendations
- 18) Employee Affidavit
- 19) Prior State Service Verification
- 20) License, registration, certifications, and educational attainment beyond high school as required of the position held.
- 21) Worker's Compensation Injury Reports (confidential file)
- 22) New Employee Orientation Checklist
- 23) Employment Application
- 24) Documentation Requirements of Texas House Bill 638-71
- 25) Legislature Assistance to Faculty whose Primary Language is not English
- 26) Direct Deposit Authorization Form
- 27) I-9 Form (maintained in separate file)
- 28) Authorization to Conduct Background Check

**EMPLOYEES SHALL PROVIDE REQUIRED DOCUMENTS AS REQUESTED**

## Documentation of Official Transcripts

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The Office of Human Resources will ensure (in addition to personnel file requirements noted previously) that the originals of the following information are maintained in each employee's file:

- Official college transcript.
- Copies of licenses, special certifications, or training certificates that apply to the teaching field.
- Verification of professional experience or specialized training.

## Notice and Information on Job Opportunities

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The Office of Human Resources is responsible for ensuring that the procedures for recruitment, interview, selection, and hiring are consistent with established STC policy and Equal Employment Opportunity laws and regulations. All STC positions will be

posted internally and advertised externally as specified in the Personnel Requisition Form.

STC employees will be considered for any vacant positions after completion of application requirements.

It is the sole responsibility of each employee to request his/her official transcripts be sent directly from the issuing institution to the College's Office of Human Resources to document compliance with Southern Association for Colleges and Schools (SACS) requirements and for placement on the College's faculty salary scale. This requirement applies to all faculty, full and part-time, and must be met BEFORE the faculty member, whether full or part-time, is considered officially employed by the College.

Administration, professional support staff, and classified staff must comply with the same requirements to document all education listed on the employee's application and to satisfy requirements of the job. **Refer to Policy 4152**

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## Nepotism

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Employment is prohibited for any relative of a member of the Board of Trustees or President within the second degree of affinity (marriage) or within the third degree of consanguinity (blood).

Employment of relatives of other employees is permitted with the following exceptions:

- 1) No family member may exercise supervisory authority over another family member who is within the second degree of affinity or third degree of consanguinity or
- 2) Within the same degree of affinity and consanguinity, hold occupational positions in such relationships as would impair internal control of any system of financial or property accountability. **Refer to Policy 4211**

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## Employment in Security Sensitive Positions

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It is the policy of South Texas College to do a police records check on all applicants/employees being considered for employment/transfer to a "security sensitive" position. Security sensitive positions shall be restricted to employees who handle currency, have access to a computer terminal, have access to a master key, or who work in an area of the College which has been designated as a security sensitive area. **Refer to Policy 4113**

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## Authorization to Conduct Background Checks

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All applicants shall be required to sign an authorization form authorizing the College to conduct a background check including all credit, employment, and other relevant information pertaining to the applicant. STC complies with state law, Texas Education Code Section 21.917, which requires the College to obtain criminal history information. **Refer to Policy 4114**

## Authorization to Drive College Vehicles

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It is the policy of STC to comply with the provisions of the Texas Drivers License Law (Section 37, Article 6687B, TCS) as it pertains to hiring employees specifically required to drive STC vehicles in the performance of their routine duties. Any position that requires the operation of a STC vehicle will be advertised as requiring a valid Texas driver's license and the applicant/employee being insurable under the STC Liability Insurance Program.

The Office of Human Resources will obtain a motor vehicle report from the Department of Public Safety prior to any employee driving a College vehicle.

For employees required to drive in the performance of their routine duties, failure to maintain a valid Texas license and insurability under the STC Liability Insurance Program may be grounds for termination of employment with STC.

The current Liability Insurance Program requires that STC provide, to the insurance carrier, a motor vehicle report on all STC employees on an annual basis. **Refer to Policy 6426**

## Filling of Vacancies

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It is the policy of South Texas College to fill each vacant position with the best qualified person available without regard to race, sex, age, color, religion, national origin, or disability and to comply with all statutory requirements relating to filling such vacant positions.

The hiring department will be responsible for initiating and preparing a Personnel Requisition Form for any vacant position. The Office Human Resources will review the requisition for compliance with provisions of the College Compensation Program.

Once a position is approved by the appropriate management personnel, the Office of Human Resources will coordinate the placement of all advertising of such position(s).

Search committees are selected to follow the procedures in accordance to the Hiring Manual of Procedures and Board Policies to ensure fair and consistent hiring practices. (Hiring Manual can be viewed on the Office of Human Resources website.)

### **LANGUAGE PROFICIENCY**

To ensure that all faculty members are proficient in oral and written communications in the language in which assigned courses will be taught, the hiring procedures have been designed to have all candidates complete a written and oral presentation during the interview process.

Questions during this process are asked in the language in which the assigned courses will be taught. The search committee chair will make arrangements to have the final candidates complete a written sample on a subject related to their field of study. This written sample will be shared with the search committee. The Primary Spoken Language Form includes the written component.

## **GRANT POSITIONS**

The same procedures for hiring grant employees are followed as for hiring regular employees, plus the following additional steps:

Procedures:

- Ensure adequate funding is available for a position.
- Inform hired employee that all grant positions are considered temporary.
- Inform hired employee that upon completion of project/grant funding closes (or other extenuating circumstance occurs) the position may no longer exist and therefore, employee will no longer be employed.
- If another grant is awarded, implement the hiring process for all applicants applying for the position funded by the new grant.
- Extension of employment from one grant to another is unacceptable, unless the president has given special approval (under special circumstances).

Grant salaries will be determined by the responsibilities outlined on job descriptions, which correlate to regular full-time positions in our approved salary plan. Each individual grant salary will be determined by:

- 1) Salary range for position.
- 2) Education and experience of qualified candidate.

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## **Employment Appointment**

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It is the policy of South Texas College to employ all faculty and professional staff under written letters of appointments which include identification of the employing program or department and the position offered, the salary to be paid, and the length and specific dates of the employment term.

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## **Outside Employment**

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An employee of South Texas College may engage in outside employment, operate a business, or hold elective or non-elective office when such is in compliance with the following applicable state statutes and regulations and when:

- The outside job/activity does not interfere with performance of assigned duties and responsibilities.
- There is no conflict of interest.
- The provisions of the Procedure on Dual Employment are met if involving employment with a state agency.
- Restrictions on holding elective office are complied with.
- The outside employment is not undertaken with the claim that the individual is an official representative of South Texas College.
- No resources of the College are used in conjunction with the outside employment.
- Immediate supervisor is notified of activity, including scheduled times, place, and telephone or other contact source.

## Conflict of Interest

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In 1973, the Legislature passed a bill entitled “Standards of Conduct of State Officers and Employees.” This legislation, in its amended, current form, spells out standards of conduct and disclosure requirements which must be observed by all “persons owing responsibility to the people of Texas and the government of the state of Texas in the performance of their official duties.”

Generally, STC employees may not have any interest in or engage in any business or professional activity or incur any obligation which is in substantial conflict with the proper discharge of duties in the public interest. Specifically, STC employees are prohibited from:

- Accepting or soliciting any gift, favor, or service that might reasonably tend to influence the employee's discharge of official duties or is offered with the intent to influence official conduct.
- Accepting employment or engaging in any business or professional activity in which the employee might reasonably expect, would require, or would induce the employee to disclose confidential information acquired by reason of an official position.
- Accepting employment or compensation which would reasonably tend to impair independent judgment in the performance of official duties.
- Making personal investments which would reasonably be expected to create a substantial conflict between the employee's private interest and the public interest.
- Intentionally or knowingly soliciting, accepting, or agreeing to accept any benefit for having exercised official powers or performed official duties in favor of another.

### **LIMITATIONS ON CONSULTANT CONTRACTS WITH PREVIOUS EMPLOYEES**

None of the funds appropriated to the College may be used to enter into a consultant contract with any individual who has been previously employed by the College within the past twelve months unless the contract has been approved by the Board.

## Reduction in Force

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It is the policy of South Texas College to provide an equitable system for selection of employees to be separated or dismissed when the circumstances require or made advisable that the employee workforce be reduced. In making reductions, the College will consider skills, competence, job performance, and seniority. The primary goal of any reduction in force is to retain those employees whose retention will best suit the continued accomplishment of the mission of the College and have the least impact on such mission. ***Refer to Policy 4912***

## Unauthorized Absence Policy 4511 (11/25/96)

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In the case of an unauthorized absence being an unexcused absence or an absence where the employee has not notified their supervisor in accordance with established procedures, the employee's pay will be docked for the amount of time absent. Disciplinary action may be initiated when necessary. An unauthorized absence of greater than two days may be treated as a voluntary resignation from employment with the College.

## Employee Conduct Subject to Disciplinary Action Policy 4920 (07/24/00)

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### **REQUISITE STANDARDS OF CONDUCT**

South Texas College has established performance standards for all employees and employees are expected to acquaint themselves with required performance criteria for their particular jobs along with all rules, procedures, and standards of conduct established by the employing unit, division, or department. Those employees failing to satisfy the responsibilities as set forth in such rules, procedures, and standards are subject to adverse personnel actions.

The delineation of these procedures is for the benefit of the orderly management of the College and does not give rise to any contractual or property interests in the continued employment with the College except as specifically authorized in writing and approved by the Board of Trustees. The employment status of all personnel is governed by provisions in Policy 4115.

### **POOR WORK PERFORMANCE**

The general standard of work performance of all employees should exceed the merely satisfactory level and employees are expected to strive for excellence. The failure of an employee to achieve an acceptable level of productivity and to maintain work performance standards may constitute cause for disciplinary action, including dismissal. The term "work performance" shall be all inclusive and shall pertain to every aspect of an employee's work and behavior on the job, including the ability to work harmoniously with other employees.

Work performance is to be judged by the supervisor and includes a formal supervisory evaluation process which describes the quality and quantity of work performed by each employee. Documentation of poor work performance would also include memorandums, records of meetings, and other written documentation. When, in the opinion of supervisor, the work performance of an employee is unsatisfactory, the supervisor must take appropriate disciplinary action.

### **MISCONDUCT**

All employees are expected to adhere to such standards of conduct that will result in a productive environment. Disciplinary action must be imposed for unacceptable conduct and this can even result in dismissal.

A list of examples of misconduct must include such behavior that defies the socially acceptable principals of good taste and are not limited to the following examples:

1. Falsification of time sheets, personnel records, or other records of the College.
2. Violations of safety rules or accepted safety practices.
3. Refusal of an employee to follow instructions or to perform designated work that may be required of an employee to adhere to established rules and regulations.
4. Neglect of duties, loafing, loitering, or wasting time during working hours.
5. Smoking anywhere except in designated smoking area.
6. Gambling or participation in other games of chance on the premises at any time.
7. Soliciting, collecting money, or circulating petitions on the premises other than within the rules and regulations of the College.
8. Possessing intoxicants or drugs at the work place or the use of intoxicants or drugs during working hours.
9. Abuse or waste of tools, equipment, fixtures, property, supplies, or goods of the College or any item on loan and under the control of the College.
10. Creating or contributing to unhealthy or unsanitary conditions.
11. Failure to cooperate with a supervisor or co-worker, impairment of function of work unit, or disruptive conduct.
12. Disorderly conduct, horseplay, harassment of College personnel including sexual harassment, racial harassment, or use of abusive language on the premises.
13. Fighting, agitating a fight, threatening or attempting bodily harm or injury to another employee of the College.
14. Neglect of duty or failure to meet a reasonable and objective measure of efficiency and productivity.
15. Theft, dishonesty, or unauthorized use of College property or equipment, including College records and confidential information.
16. Creating a condition hazardous to the individual or fellow employee.
17. Refusal of an employee to follow instructions or to perform designated work in the reasonable time prescribed or to adhere to established rules and regulations.
18. Repeated tardiness or absence, absence without proper notification to the supervisor or without satisfactory reason, or unavailability for work.
19. Violations of College policies or rules.

20. The prohibited carrying of a firearm or other weapon on school premises.
21. Violation of criminal or civil law in relation to performance of duties at the College.
22. Other acts or omissions of misconduct as determined by administration to be derelict.

### **INVESTIGATION OF UNSATISFACTORY BEHAVIOR**

All observed or reported incidents that involve the potential for disciplinary action shall be investigated by the employee's supervisor or other administrative official.

The supervisor or other administrator shall obtain convincing evidence that the employee engaged in conduct which warrants disciplinary action prior to instituting a disciplinary action.

The investigating supervisor is encouraged to discuss the results of the investigation with the Director of Human Resources or an appropriate College official before disciplinary actions are imposed.

### **PRE-DISCIPLINARY MEETINGS**

The employee will be informed of the basis for any proposed disciplinary action resulting in suspension, demotion, or dismissal and will have an opportunity to respond in the presence of the employee's supervisor and an administrator before a final decision is made to take disciplinary action.

This procedure is not intended to be a due process hearing or procedure. This meeting may be waived by the employee.

This policy does not negate or alter any provisions stated in Policy 3030 Academic Freedom and Responsibility.

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## Appeals of Disciplinary Action

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Disciplinary action taken against an employee that results in a temporary suspension without pay, a demotion, or a dismissal from employment with STC may be appealed by the affected employee. An appeal must be presented in writing to the campus President's Office within five working days from the date of the disciplinary action. **Refer to Policy 4911**

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## Employee Complaint Procedures

### Policy 4910 (06/17/99)

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Employee complaints concerning wages, hours, working conditions, job assignments, or interpretations of College policies will be considered pursuant to the provisions of this policy for all College employees. An employee has the right to present a complaint individually or through a representative, selected and compensated by the employee. No employee will be penalized, disciplined, or prejudiced for exercising the right to file and pursue a complaint.

Employees and administration are encouraged to resolve complaints through open communication and informal processes; however, the steps listed below are provided to resolve complaints that require a more structured procedure for resolution.

The steps to the procedure are as follows:

- I. An employee shall informally present the complaint in writing to the employee's immediate supervisor for discussion, consideration, and resolution within 20 working days from the date the employee becomes aware or should have been aware of the action which is the subject of the complaint.
- II. If the immediate supervisor, within 10 working days following receipt of the complaint by the supervisor, does not resolve the complaint, the employee may present to the appropriate next level supervisor a written request for a formal review of the complaint. The request should be delivered by the employee to the next level supervisor and include a copy of the complaint, reasons for the requested review, documents offered in support of the complaint, and a suggested resolution. That supervisor shall provide a written decision on the matter within 10 working days of receipt of the complaint.
- III. If the decision of the next level supervisor is not acceptable to the complainant, the employee has two options from which to choose in the procedure's next step. The employee has 10 working days to carry out one of the two options listed below:
  - a. The employee must deliver the complaint in writing with the description of the concern, reasons for the review, documents offered in evidence, and a suggested remedy to a review committee. As part of the written complaint, the employee should indicate whether he/she wishes to appear in person before the committee. The appropriate vice president will select and convene the committee (see step IV). The committee will provide a hearing on the matter within 10 working days of receipt of complaint. The committee will make a written recommendation to the appropriate vice president within 10 working days after the close of the hearing.
  - b. The employee may deliver the complaint in writing with the description of the concern, reasons for the review, documents offered in evidence, and a suggested remedy to the appropriate vice president for resolution. The referral will contain a clear and concise statement of why the respective decision was not acceptable to the complainant.
- IV. Should option a be selected, the vice president will appoint a committee composed of two administrators and three employee representatives (two of whom should be selected from the same employee category [faculty, administrative support, custodial, etc.] as the employee making the complaint). To ensure an impartial committee, no committee member will have any connection to the subject of complaint. Should the complainant have any concern about a particular committee member, the complainant should express this concern in writing to the appropriate vice president.

- V. The committee's responsibility will be to review the complaint and accompanying materials and to issue a written recommendation to the appropriate vice president within 10 working days of the close of the hearing. The committee may hear evidence, examine documents, and question witnesses as part of its fact finding. Prior to any hearing, both sides will receive a complete set of all documents.
- VI. The appropriate vice president will provide a written decision on the matter within 10 working days of receipt of the complaint if option *a* was exercised and/or the committee's recommendation if option *b* was exercised.
- VII. The employee may refer complaints not satisfactorily resolved by the appropriate vice president in writing to the President. The referral must be made within 10 working days of the date of the decision by the appropriate vice president. The referral shall contain a clear and concise statement detailing the reason(s) the Vice president's decision was not acceptable to the complainant.
- VIII. The President shall, within a reasonable time (not to exceed 20 working days following receipt of the referral), issue a written decision, which shall be mailed to the employee. The decision of the President is final and there are no further appeals.

This policy will be followed except where the employee believes there has been sexual harassment, other harassment, or illegal activity by a co-worker or supervisor. In that situation, the complainant may select another College administrator to receive and handle the complaint.

The provisions of this policy do not extend into a due process procedure. The policy is an internal procedure designed to provide employees with the opportunity to address complaints. This policy may be amended from time to time.

## Student Complaints and Grievances

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In accordance with Board Policy 3313, Students at South Texas College have the right to file a complaint or grievance when they believe that they were unjustly or improperly treated by the College, College employees, or other students.

The College will not retaliate against any student for filing a complaint or grievance in "good faith."

A student complaint is handled informally by following the student complaint procedures. A student grievance is a formal process involving written documentation. The procedures for initiating a grievance are outlined under the Formal Grievance Procedures section in the Student Handbook.

The procedures for filing a complaint or grievance and the necessary grievance form may be obtained from the Student Service Center, the Student Ombudsperson located in the Student Services building on the Pecan Campus or at 872-3526.

A separate procedure is in place for students who wish to file grievance concerning a class grade or other academic issue. These procedures were developed in accordance with Board Policy 3312 and may also be found in the Student Handbook. The Student Ombudsperson is available to assist students with problems and concerns.

## Termination of Employment Policy 4922 (12/20/01)

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Employees terminating employment are expected to give adequate notice to their supervisor and the Office of Human Resources to allow for an orderly transition of work activities. Vacation dates are not to be included as part of the required notice.

Executive, Administrative, and Professional/Technical Staff shall submit a request for release from their letter of appointment at least one month prior to the requested release date, or as stipulated by the immediate supervisor. The President, in consultation with the appropriate supervisor, must approve the release from the appointment.

Faculty involved in student instruction are expected to continue employment for the duration specified in their contract. Extenuating circumstances may be considered for release of appointment at the end of the fall semester.

Classified employees are expected to give a minimum of two weeks notice.

Employees failing to comply with the provision of adequate notice and/or who fail to be approved for release from their appointment will not be eligible for re-hire.

On the last day of work, an employee shall complete campus clearance procedures through the Office of Human Resources and make arrangements for the disbursement of a final paycheck.

## Campus Clearance Policy 4923 (11/09/95)

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All employees terminating employment with South Texas College must complete a campus clearance prior to the final day of departure and receipt of final pay.

It is the responsibility of the terminating faculty or staff member to obtain an Employee Clearance Form from the Human Resources Office. The terminating employee must secure a release from the employee's department and other departments listed on the clearance form. The final step in the clearance procedure is a meeting with a Human Resources Office representative.

## Personal Status Change Policy 4702 (01/17/02)

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Any personal status changes affecting record-keeping, mailing address, emergency contact phone numbers, or employee benefits must be reported to the Office of Human Resources. The College is not liable if the employee does not report changes in a timely fashion.

## Telephone Use

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South Texas College is part of the state of Texas Tex-An Network. This network is designed to provide economical intrastate telephone service. The use of the Tex-An telephone services must be limited to official state or STC business only.

Employees of South Texas College, or any other persons, shall not use or access the long distance telephone system for personal purposes and charge such use or access to the College.

## Key Control

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Keys to building locks may not be issued, made, or duplicated without approval of the Facilities Supervisor. All requests for keys must be directed through your supervisor and division dean.

## Employee Identification

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The employee identification card issued to you serves to identify you to campus security officers, other personnel, and to students. **After completing the new hire paperwork in the Human Resources Office, this ID badge may be obtained by presenting the Authorization to Work Form to personnel in the Student Activities Office.** For security purposes, this procedure must be followed. Employees are expected to wear ID badges at all times while on College property.

## Solicitations

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Any solicitations, other than from approved campus organizations, for individual or public causes must be submitted to the President's Office for approval before an appeal is made to the employees of South Texas College. No business solicitation of any nature shall be allowed during employee working hours without prior approval of the President's Office.

## Acceptance of Gifts and Bequests

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It is the policy of South Texas College to accept gifts and bequests of land, facilities, items of personal property (such as books, equipment, training aids), money, stocks and bonds which may be converted into money, equipment, materials, books, lands, buildings, or other items of value which may aid in the accomplishment of the mission of the College. Items received must have a current or immediate future use and the cost of operation and maintenance for the gift(s) must be within current budgeted funding levels.

Gifts and bequests have provided the College with a valuable source of instructional aids and funds for the establishment of scholarships and loans. With the knowledge of the appropriate vice president and/or President, campus personnel are encouraged to solicit and negotiate gifts having usefulness to the College. All gifts to the College become the property of the state of Texas and must be placed on inventory and accounted for in accordance with established procedures. **Refer to Policy 5910**

## Use of Administrative Computer System

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All users of the STC Administrative Computer System should be aware that unauthorized access to information is a serious violation of STC policy and Chapter 33 of the Computer Crimes Act, passed by 69<sup>th</sup> Texas Legislature in 1985, making it a crime to:

- Use the computer system without proper authorization.
- Gain access to data stored in the system without proper authorization.
- Knowingly give out passwords or other confidential information concerning the computer security system without proper authorization.
- Knowingly interfere with the proper operation of the system or alter or destroy data without proper authorization.

## Bad Weather Days

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It is the policy of South Texas College to cancel classes in the event that inclement weather poses a threat to travel for students, faculty, and staff. Notification of class cancellations is made through local radio and television announcements. In compliance with the Texas Higher Education Coordinating Board Rules and Regulations, regularly scheduled class days missed due to bad weather are to be rescheduled during the semester in progress by the President.

# Employee Benefits

## Eligibility for Employee Benefits Policy 4300 (06/11/98)

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All regular employees and full-time faculty are benefit-eligible and must be employed to work at least 20 hours per week for a period of at least 4 ½ months, excluding students employed in positions which require student status as a condition of employment.

Full-time faculty members are benefit-eligible for the fiscal year; however, sick leave accrual is limited to the duration of their appointment to work.

Full-time faculty members who have been granted appointments for nine months and have gained approval from the Vice President of Instructional Services for payment over nine months are responsible to provide payment for their medical benefits for the remaining three months. This arrangement must be coordinated with the Human Resources Benefits Specialist prior to the end of the nine month appointment.

Adjunct faculty members are not eligible for benefits.

## Employee Leave and Holidays Policy 4305 (05/24/01)

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### **HOLIDAYS, SPRING BREAK AND SEMESTER BREAK**

Holidays, Spring Break, and semester break, which the College observes for employees and students, will be listed in the Board approved academic calendar of the current College catalog.

Paid holidays, Spring Break, and Semester Break are applicable only to regular employees holding staffing plan positions and limited to only those days listed on the academic calendar. Employees must be on an active payroll status for the entire pay period(s) during which a paid holiday, Spring Break, or semester break falls in order to be entitled to the paid days as approved on the academic calendar by the Board.

Staffing plan employees, excluding students employed in positions which require student status as a condition of employment, are entitled to the established employee benefits, which include leaves and holidays. A “regular employee” means one who is employed to work at least 20 hours per week for a period of at least 4 ½ months.

Entitlements under Employee Leave and Holidays include:

- Vacation Leave
- Sick Leave
- Personal Leave
- Funeral Leave

- Family and Medical Leave
- Jury and Witness Duty
- Leave Without Pay
- Military Leave
- Professional Leave

*The following information clarifies the intent of Board Policy 4305:*

- *If an employee has enough paid leave to be on active payroll status (**physically working or utilizing paid leave**) for the entire pay period, the employee is entitled to holiday pay.*
- *Holiday pay will be paid only during active periods of employment, and will not be paid if an employee is out on unpaid FMLA, leave of absence, or leave without pay of five days or more in the month during which the holiday occurs.*
- *An employee terminating or resigning from employment must be actively employed or have accrued paid leave on the day before and the day after a holiday occurs in order to be entitled to holiday pay.*

## Vacation Leave Accrual Policy 4306 (12/18/03)

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With the exception of faculty members who have appointments of less than 12 months, full-time regular employees accrue vacation leave time at the rate of 8 hours per month of employment. Employment of less than one month will accrue on a pro-rated basis. Part-time employees with regular weekly schedules of 20 hours or more accrue vacation on a prorated basis. An employee is eligible to take vacation on or after the first day of the month following the first full month of employment.

All vacation leave requests must be approved by the immediate supervisor and the leave will be granted according to the staffing needs and availability.

Leave time for holidays, spring break, and semester break are not charged against vacation time.

All hours of unused accumulated vacation leave must be used by March 1<sup>st</sup> following the fiscal year in which it was accumulated. Any vacation leave not used by that date will be forfeited unless a time extension has been approved by the supervising administrator, Vice President/Executive Director, and President. A time extension of not more than 60 days may be granted for extenuating circumstances.

An employee terminating employment, will be expected to utilize accrued vacation prior to the last day of employment. In extenuating circumstances, a lump sum payment may be paid for unused accrued vacation with the approval of the supervising administrator, Vice President/Executive Director, and President.

## Sick Leave Accrual Policy 4308 (02/15/01)

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Regular full-time (40 hours/week), non-faculty employees shall accrue eight (8) hours sick leave per month to be used for the purposes of personal illness. Sick leave benefits will accrue only during active periods of employment and may not accrue while an employee is on academic leave, sick leave, or any other extended absence from official duty for 30 days or more.

An employee may take earned sick leave as needed. Illness must be reported by the employee to the immediate supervisor within one hour after the usual time to begin work. An employee's supervisor retains the option to request a doctor's statement for day(s) missed due to illness.

Part-time employees will accrue sick leave as follows:

- 1-19 hours/week - 0 hours accrual
- 20-30 hours/week - 4 hours accrual/month
- 31-39 hours/week - 6 hours accrual/month

Accrued sick leave may also be used for personal illness in the employee's immediate family. Immediate family is defined as a son, daughter, parent, or spouse of employee.

In the event of a workers' compensation injury/illness, an employee may use their sick leave for the initial state mandated waiting period of seven (7) days prior to the workers' compensation insurance providing partial payment for injury/illness. An employee may use their sick leave if the doctor requires an employee to be absent due to work-related injury or illness for less than a seven day period.

An employee may not accrue a total greater than 90 days of sick leave. After an employee has an accrual of 90 days sick leave, the employee will not accrue additional sick leave until the accrued amount falls below the 90 day maximum accrual amount.

An employee having more than 90 days accrued sick leave in their employee's account as of April 11, 1996, will be allowed to maintain such amount of accrued sick leave, but will accrue no further sick leave until the total amount of accrued sick leave is less than 90 days, at which point the 90 day accrual limitation shall apply.

Accrued and unused sick leave will not be paid as compensation to the employee in the event an employee voluntarily or involuntarily terminates employment with the College. However, employees retiring under the Texas Retirement System (TRS) after September 1, 2001, may have the option to use accrued sick leave towards years of service credit under TRS rules.

## Sick Leave Deductions for Faculty Policy 4309 (06/11/98)

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Faculty members have schedules that vary from day to day and may include evening and weekend courses, so there is need for a consistent standard which may be applied for all faculty. Faculty members are required to use sick leave, even though no classes are missed, if the absence due to illness occurs during the normal college workday. Sick leave must be taken in units of not less than ½ a day (4 hours). Faculty must report all days ill, not just days on which classes are missed.

The following standards will be applied in computing sick leave deductions for faculty members:

- Faculty will have sick leave deducted in four-hour increments.
- Faculty missing four hours or less will be required to submit documentation for a four-hour absence.
- Faculty missing more than four hours will be required to submit documentation for an eight-hour absence.

Exceptions to this four-hour incremental policy may be made with appropriate documentation and approval.

Faculty members are expected to contact their immediate supervisor when absent due to illness. It is the responsibility of the faculty member requesting absence from work due to sickness to provide lesson plans and to take any necessary steps so that students do not miss an instructional day.

Division Deans may request medical verification from a licensed U.S. doctor.

Adjunct faculty members (part-time) are not eligible for sick leave benefits.

## Sick Leave Pool Policy 4310 (01/18/01)

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This policy establishes a sick leave pool to provide additional sick leave for regular full-time employees who have exhausted all paid leave entitlement and suffered a loss of compensation because of a catastrophic illness or injury of the employee or the employee's immediate family. Participation in the pool is available for regular full-time employees who have completed a one year waiting period from the initial date of hire and meet the eligibility requirements set by the procedures governing the pool. This is a benefit and not an entitlement.

An employee's sick leave from the sick leave pool, which is taken because of a catastrophic illness or an injury to the employee or the employee's immediate family, will run concurrently with leave under the Family and Medical Leave Act. The employee

must have already donated the minimum number of sick leave hours required to join the pool.

The Director of Human Resources will administer the Sick Leave Pool according to Chapter 661, Subchapter A, Texas Education Code.

## Sick Leave Pool Procedures

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### I. PURPOSE

The purpose of the Sick Leave Pool is to provide additional sick leave to eligible STC employees who experience catastrophic illness or injury. This Pool is established by Board Policy 4310 and subject to the terms outlined in this procedure.

### II. ELIGIBILITY

Participation in the Sick Leave Pool is on a voluntarily basis. In order to be a member of the Sick Leave Pool, the STC employee must:

- 1) Be a full-time regular employee who accrues sick leave in accordance with STC policy.
- 2) Have completed twelve calendar months of employment with STC.
- 3) Have accrued a minimum sick leave balance of 72 hours at the time of the annual enrollment period.

Members may cancel their participation at any time by giving written notice to the Sick Leave Pool Committee; however, sick leave hours contributed to the Sick Leave Pool will not be restored to the member upon cancellation.

### III. ENROLLMENT PERIOD

Enrollment periods will be held twice a calendar year:

April 1<sup>st</sup> – April 30<sup>th</sup>

And

October 1<sup>st</sup> – October 31<sup>st</sup>

Members shall be considered enrolled on the first day of the month following the end of the enrollment period.

### IV. MEMBERSHIP REQUIREMENTS

**Initial Enrollment:** Upon initial enrollment, the employee will contribute a minimum of 24 hours of their individual accrued sick leave to the Sick Leave Pool. An employee may elect to donate more accrued sick leave hours as long as the minimum required balance of 48 hours is maintained in their individual accrued sick leave. Employees who have reached the maximum number of sick leave hours in accordance with STC Policy are encouraged to donate their annual number of accrued sick leave in lieu of forfeiture. Sick Leave Pool members who wish to continue participation will be required to donate eight hours of accrued sick leave during one of the enrollment periods in April or October of each calendar year. Once enrolled, continuing members shall not be required to maintain a minimum individual accrued sick leave balance.

**Continuing Membership:** Continuing Sick Leave Pool members who do not have the eight hours of sick leave needed to renew their participation shall be granted a grace period of 30 days and will donate their next eight hours of accrued sick leave. The Office of Human Resources will monitor the records of individuals who have been granted a grace period for donating the required eight hours of sick leave and will update their records automatically once the hours are accrued. A continuing member who does not have the adequate sick leave time within the 30 day grace period may donate accrued vacation leave in lieu of sick leave. If the continuing member does not have the adequate sick or vacation leave, the individual will forfeit participation for the next six months until the next enrollment period. The subsequent year the individual may donate the eight hours required for continuing members and reactivate his or her participation in the Sick Leave Pool.

**Members on Approved Sick Leave:** Members of the Sick Leave Pool who are on approved sick leave assistance time during the annual enrollment period shall not be required to donate to the pool for that enrollment period. However, the member shall be required to donate eight hours of accrued sick leave for all future enrollment periods if he/she wishes to continue as an active member of the Sick Leave Pool. All time contributed to the Sick Leave Pool is non-refundable.

#### **V. ADMINISTRATION OF SICK LEAVE POOL**

**Sick Leave Pool Administrator:** The President of the College has designated the Director of Human Resources as the Sick Leave Pool Administrator. The Sick Leave Pool Administrator shall adopt forms, procedures, and regulations for the administration of this policy. The Sick Leave Pool Administrator shall make decisions for approval or denial of applications for Sick Leave Pool hours in accordance with the provisions of this policy. The decision of the Sick Leave Pool Administrator to approve or deny a request for sick leave assistance will be final and binding.

**Sick Leave Pool Committee Membership:** A Sick Leave Pool Committee will be established to review requests for leave and recommend awards of sick leave hours to the Sick Leave Pool Administrator. The members of the Sick Leave Pool Committee shall be appointed by the President of the College and shall serve for staggered terms. The Sick Leave Pool Committee shall consist of at least five members with a proportional representation of all eligible employee groups and will meet once a month to review requests submitted to the Office of Human Resources.

Every March, the Sick Leave Pool Committee will determine the amount of sick leave contributions it projects is necessary to maintain the bank for the coming year. The committee shall recommend an amount greater than the actual number of sick leave hours awarded to employees in the previous year. If the number of projected sick leave hours is less than the total hours donated from new and continuing members, the Sick Leave Pool Administrator will assess members a minimum of eight hours of sick leave to a maximum of 16 hours of sick leave. This time will be deducted automatically from the member's individual accrued sick leave or vacation leave (if available) with proper notification being provided to the member. The Sick Leave Pool shall strive to maintain a minimum balance of 7000 hours and may be revised depending upon the employee census or employee's needs.

## **PROCESSING REQUESTS FOR SICK LEAVE POOL TIME**

The following procedures shall be used to request sick leave pool time:

1. A member shall complete a Sick Leave Pool Application Form available in the Human Resources Office. A participating member may request sick leave assistance when he/she has experienced a catastrophic illness or injury, has exhausted all their paid leave entitlement, and is not eligible to apply for benefits under STC's group long-term disability plan. The member's catastrophic illness or injury must be supported by a physician's statement that certifies that member's inability to work, provides a prognosis for recovery, and provides a projected time for return to work. The member must agree to provide any relevant information in the event verification is required by the Sick Leave Pool Committee.
2. The completed request form should be returned to the Sick Leave Pool Administrator in the Human Resources Office. The Sick Leave Pool Administrator or the designee shall verify the eligibility of the requestor and forward all requests to the Sick Leave Pool Committee.
3. The Sick Leave Pool Committee shall submit a recommendation on a member's request to the Sick Leave Pool Administrator. In the event that one or more of the Committee members are not available to participate in the review, a quorum of the committee may decide upon a recommendation. The recommendation to the Sick Leave Pool Administrator shall be made and delivered within five working days from the date the committee meets and reviews the request(s).
4. The Sick Leave Pool Administrator will notify the employee of his/her decision to approve or to deny the request within seven working days from the date the recommendation is received.
5. A member's request for sick leave assistance will not be denied on the basis of existing conditions or reapplication as long as the eligibility criteria are met at the date of each application. The Sick Leave Committee may request recertification of the medical condition by a licensed physician as required by this procedure.

A member who applies for sick leave assistance may request sick leave hours in an amount of up to 90 calendar days or 480 hours (based on a 40-hour work week) in any rolling 12 month period. The rolling period is defined as the month the member requests sick leave assistance and the 11 months immediately preceding the member's request. Subject to the rolling year maximum, sick leave assistance, if approved, may be requested all at one time or it may be requested intermittently if medically necessary. If requested intermittently, a separate request must be made each time sick leave is withdrawn from the Sick Leave Pool and each separate request must meet the eligibility requirements specified, including medical certification.

If a member withdraws sick leave hours from the Sick Leave Pool and is certified by his/her physician to return to work before all the sick leave hours have been used, the remaining balance of awarded and unused sick leave hours will be returned to the Sick Leave Pool. If a member is not able to return to work following utilization of his/her rolling year maximum sick leave assistance time, the member may request an unpaid leave of absence in accordance with STC Policy 4316 if total absences have not exceeded 12

months. If an employee's request is approved for an unpaid leave of absence following utilization of his/her rolling year maximum, the time of unpaid leave of absence will not count toward the member's new rolling year period. That member's new rolling year period will begin in the month that he/she actively returns to work on a full-time regular basis.

### **PROCESSING APPROVED REQUEST**

The Sick Leave Pool Administrator shall provide written notification to the employee informing him/her of their approved request and the amount of sick leave hours to be awarded within seven workdays from receipt of the recommendation submitted by the Sick Leave Pool Committee.

### **EMPLOYEE TERMINATIONS**

Terminated employees with unused sick leave hours will have their balance reduced to zero.

### **CHANGE OF EMPLOYMENT STATUS**

If a member of the Sick Leave Pool experiences a change in employment from a full-time regular position to a non-qualifying position, he/she will be treated as an employee termination with the unused sick leave hours reduced to zero and donated to the Sick Leave Pool. The employee's membership in the Sick Leave Pool will be terminated effective as of the date of the change in employment status and the employee forfeits any benefits under the Sick Leave Pool. If the employee status change occurs during a time the member has been approved for sick leave assistance, any unused hours from the date of the change in employment status will be returned to the Sick Leave Pool.

### **EXCLUSIONS**

The Sick Leave Pool is not intended to be used for short-term leave due to routine and non-extraordinary illnesses, nor is it for time off covered by job-related injuries or illnesses (Worker's Compensation). Rather, it is intended to be used for prolonged catastrophic illnesses or injuries such as medically necessary surgery, illness, or disability which requires hospitalization and/or convalescence or recuperation in an extended care facility or at home while under the care of a licensed physician.

In order to request sick leave assistance from the Sick Leave Pool, the member must have exhausted all of his/her own individual sick and vacation leave (if applicable). Sick leave assistance may only be used for a member's own catastrophic illness or injury or for an immediate family member as defined under STC Policy 4308, which includes a son, daughter, parent, or spouse of the employee.

### **REVISIONS OF PROCEDURES**

The Sick Leave Pool Administrator reserves the right to make changes to the procedures when a situation or event not addressed in the procedures proves necessary. Any revisions will be communicated to all existing members of the Sick Leave Pool in the month that the revision is made. The revision will also be communicated to all eligible employees on or before the next scheduled enrollment period. The revision shall be included in the College's Benefit Handbook and issued to each full-time regular employee at the start of the next fiscal year.

Notation only for the first year implementation of the Sick Leave Pool: The Director of Human Resources recommends that the Sick Leave Pool task force members serve as

the Sick Leave Pool committee members for the first fiscal year term (September 1<sup>st</sup> – August 31<sup>st</sup>). Thereafter, the Sick Leave Pool committee members will be on a voluntary basis to serve one fiscal year terms with the final approval of the Director of Human Resources.

## **DEFINITIONS**

A *regular employee* is defined as one who is employed to work at least 20 hours per week for a period of at least 4 ½ months.

*Catastrophic illness or injury* refers to a severe condition or combination of conditions affecting the mental or physical health of an employee or the employee's immediate family. The catastrophic illness or injury shall require the services of a licensed practitioner for a prolonged period of time and shall require the employee to exhaust accrued sick and vacation leave and to lose compensation.

*Immediate family* refers to those persons living in the same household with the employee who are either related to the employee by kinship, adoption, or marriage or are certified by the Texas Department of Protective and Regulatory Services as foster children of the employee. The immediate family member includes a son, daughter, parent, or spouse of the employee. Immediate family members that are living in the same household shall be totally dependent upon the employee for personal care services on a continuing basis.

*Licensed practitioner* refers to a person who is licensed to practice in one of the health professions set forth in Paragraph 8 of Article 3.70.2 of the Texas Insurance Code.

*Sick Leave Pool Administrator* refers to the Director of Human Resources who is responsible for administering the Sick Leave Pool.

*Sick Leave Pool or pool* refers to the accumulated sick leave donated by employees for utilization in accordance with this policy.

*Sick Leave Pool Committee* refers to the employees serving in a committee of at least five members representative of all eligible employee groups who meet regularly to review applications and recommend awards, serving for two fiscal year terms (September 1<sup>st</sup> – August 31<sup>st</sup>).

## **Personal Leave Policy 4311 (09/15/03)**

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Employees may use up to a maximum of 3 days of accrued sick leave during any fiscal year as personal leave to be used for funerals not covered by bereavement leave, religious observances not on the approved College calendar, or for sick leave for persons outside the immediate family. Provided however, full-time faculty who do not accrue vacation leave may use one of such personal leave days to conduct essential personal business which cannot be accomplished at times outside the instructional schedule. This personal leave is deducted from the employee's accumulated sick leave.

All personal leave must be approved by the employee's supervisor and the supervising Dean in advance, and the proper forms forwarded to the Office of Human Resources.

## Funeral Leave

### Policy 4312 (11/09/95)

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An employee shall be granted bereavement leave because of a death in the employee's family and may take a maximum of three days which are to be taken from sick leave, vacation leave, or leave without pay. Under this provision, an employee's family is defined as the employee's spouse and the employee's and spouse's parents, children, brothers, sisters, grandparents, and grandchildren.

## Family and Medical Leave

### Policy 4313 (11/09/95)

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The Family and Medical Leave Act (FMLA) provides that all eligible employees are entitled to a total of 12 weeks of leave during any 12 month period for one or more of the following:

- For birth of a son or daughter and to care for the newborn child.
- Adoption or foster care of a son or daughter.
- To care for the employee's spouse, son, daughter, or parent with a serious health condition.
- Because of a serious health condition that makes the employee unable to perform the functions of the employee's job.

For purpose of FMLA, an eligible employee is one who has been employed by the College for at least 12 months and who has worked at least 1,250 hours during the preceding 12 months. In calculating the required 12 months of employment for FMLA eligibility, all College employment will be counted. The 1,250 hours refers to hours actually worked and does not include any paid time off.

Other FMLA provisions are as follows:

- An employee who takes leave under the law must be returned to the same job or a job with equivalent status and pay.
- The employer must continue the employee's health benefits during the leave period at the same level and conditions as if the employee had continued to work.
- The employer can require an employee to provide a doctor's certification of the serious health condition.

- The Act contains other more specific provisions including intermittent leave and leave on a reduced hour schedule and definitions include spouse, parent, son, daughter, and serious health condition.

Eligible employees are required to utilize all available applicable paid leave when taking family and medical leave; otherwise, family and medical leave shall be on unpaid leave status. Whenever an employee's leave is foreseeable or as soon as it's practicable, eligible employees will make written application for family or medical leave authorization through appropriate supervisory channels. The application shall specify the period and purpose of the leave request. The application must include the required medical certification from the health care provider of the eligible employee, child, spouse, or parent as appropriate. If not attached, certification must be submitted to the Office of Human Resources within 15 days.

During any period of family or medical leave, the College will maintain coverage for the employee in the same manner under the group health plan as though the employee were not leave.

All approved requests for family and medical leave will be forwarded to the Office of Human Resources and will be retained in the employee medical file.

## Jury and Witness Duty

### Policy 4314 (11/09/95)

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Any employee holding a staffing plan position called to serve on a jury or as a witness in any legal proceeding is eligible to use jury and witness duty leave. The employee must submit a leave of absence request with a copy of the jury notification to the immediate supervisor.

Employees subpoenaed as a witness in a legal proceeding, except in one involving the employee versus the College, may be eligible for witness leave with pay based on a case-by-case evaluation. Employees have the option of retaining jury duty pay if they do not claim their regular STC pay. Reimbursement for jury duty expenses is not considered jury duty pay.

## Leave without Pay

### Policy 4316 (11/09/95)

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Leave without pay may be granted for up to 12 months subject to the following provisions:

- Except for disciplinary suspension, parental leave, family and medical leave, Workers' Compensation, and military situations, all accumulated paid leave entitlement must be exhausted before granting leave without pay, with the additional provision that sick leave must be exhausted only in those cases where the employee is eligible to take sick leave under sick leave provisions.

- Except in cases of an employee returning to employment from military leave without pay, any full calendar month in which an employee is on leave without pay will not be counted in the calculation of total service for vacation pay.
- Employees will not accrue vacation or sick leave during the period of leave without pay.

The President is authorized to approve leaves of absences without pay for a period up to and including 12 months when it appears justifiable and beneficial to the individual and the College.

## Military Leave Policy 4317 (11/09/95)

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An employee who is drafted or otherwise called to active duty, or who leaves for extended active duty in the military services of the United States during a war or national emergency, shall be granted a military leave without pay for the duration of such war or national emergency after notifying the employee's supervisor, vice president, Office of Human Resources, and the President. Notification of intent to return to the College must be made within 60 days following the termination of the state of war or national emergency or discharge from the service, whichever is earlier. Such leaves of absence shall not be considered a break in service; however, the employee shall not accrue leave during this period and will be responsible for payment of group health benefit premiums.

An employee may take a two-week leave of absence per year to perform temporary active duty with Reserve or National Guard units. During such leave of absence and while engaged in the performance of such military duty, the employee will be entitled to receive regular pay for required military training periods up to a maximum of two weeks. A prior written notification of intent to perform this two-week duty must be submitted to the employee's supervisor, vice president, and to the Office of Human Resources. A copy of the official military orders must be attached. If orders are not provided, leave will not be approved. Such leave of absence shall not be considered a break of service.

## Accommodations for Major Religious Holidays Policy 4318 (11/09/95)

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South Texas College seeks to accept, with understanding, the religious beliefs of its employees and seeks to accommodate those views in a reasonable way with flexibility and sensitivity on the part of administration.

Wherever possible, the College will make reasonable accommodations to permit the employees to observe major religious holidays when such requests are made in time for rescheduling hours worked, and the College and the employee agree on the conditions by which work time will be rescheduled. Three days are available for this purpose.

The College can reject such requests when it is determined that such approval would significantly hamper the operations of the College.

## Professional Leave Policy 4319 (11/09/95)

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Professional leave may be granted for official, short-term absences for professional meetings, conferences, workshops, or seminars; service as an officer or delegate of a professional organization; presentation of speeches or papers; and participation in research, performances, or panels.

Travel expenses associated with professional leave may or may not be paid by the College depending on the nature of the proposed activity and the availability of funds budgeted for such purposes.

*Approval must be obtained from your supervisor, prior to professional leave.*

## Professional Development Plan for Eligible Regular Full-Time Faculty and Staff Policy 4330 (04/28/05)

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South Texas College offers a comprehensive Professional Development Plan which provides the opportunity for regular full-time faculty and staff to participate in meaningful professional development activities in keeping with the mission and goals for South Texas College.

The Professional Development Plan is offered subject to availability of funds. The President or designee has the authority and responsibility, with the appropriate participation of the faculty and staff, to develop and administer guidelines for the plan, which is maintained by the Office of Human Resources.

## Tuition and Fee Waiver for Eligible Family Members of Regular Faculty and Staff Policy 4334 (04/28/05)

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South Texas College is committed to lifelong learning opportunities for its regular full-time faculty and staff and their eligible family members. As a result, South Texas College offers a tuition and fee waiver to eligible family members of regular full-time faculty and staff for eligible credit courses taken at the College.

These waivers are subject to the availability of funds and subject to the appropriate Professional Development Plan guidelines. The President or designee has the authority and responsibility, with the appropriate participation of the faculty and staff, to develop and administer guidelines for the Professional Development Plan, which is maintained by the Office of Human Resources.

## Professional Development Plan Synopsis of Revised Tuition Benefits

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### **EMPLOYEE TUITION AND FEE WAIVER**

The College offers a tuition and fee waiver, subject to availability of funds, for eligible regular full-time faculty and staff who have been employed by the College for at least one year. Eligible employees may apply to take courses that comply with a specified degree plan or are directly job related. Coursework undertaken solely for self-enrichment does not qualify for waiver. **Note: Complete guidelines and application may be obtained from the Office of Human Resources or may be downloaded from the STC website at [http://www.southtexascollege.edu/jobs/TuitionWaiver\\_Emp.doc](http://www.southtexascollege.edu/jobs/TuitionWaiver_Emp.doc).**

### **EMPLOYEE DEPENDENT TUITION AND FEE WAIVER**

The College offers a tuition and fee waiver, subject to availability of funds, for eligible family members of regular full-time faculty and staff for eligible credit courses taken at the College. This plan does NOT include Adult Continuing Education courses for employee dependents. The dependents of regular full-time faculty and staff who have been employed for a minimum of one year are eligible for this benefit. Eligible dependents are defined as legal spouse, unmarried dependent son and or unmarried dependent daughter, 24 years or younger, who reside with the employee. Eligible dependents may apply to take courses that comply with a specified degree plan or statement of educational purpose. **Note: Complete guidelines and application may be obtained from the Office of Human Resources or may be downloaded from the STC website at [http://www.southtexascollege.edu/jobs/TuitionWaiver\\_Dep.doc](http://www.southtexascollege.edu/jobs/TuitionWaiver_Dep.doc).**

### **EMPLOYEE TUITION AND FEE REIMBURSEMENT**

The College offers a tuition and fee reimbursement of a maximum of \$600 per fiscal year, subject to availability of funds, of courses taken at another regionally accredited public or private post-secondary institution within the State of Texas that comply with a specified degree plan or are directly job related. The tuition and fee reimbursement also applies to graduate distance learning courses at regionally accredited out-of-state institutions as well as for graduate and undergraduate distance learning courses at regionally accredited in-state institutions, according to the guidelines. All regular full-time faculty and staff who have been employed in a regular full-time position at STC for a minimum of one year are eligible to participate. **Note: Complete guidelines and application may be obtained from the Office of Human Resources or may be downloaded from the STC website at <http://www.southtexascollege.edu/jobs/TuitionReimb.doc>.**

Applications for all tuition waivers and/or reimbursements must be submitted on the appropriate forms, with appropriate department approvals, and in accordance with the required timelines in order to be processed.

## Employee Medical Insurance Policy 4340 (03/29/96)

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South Texas College provides group medical insurance for eligible employees and qualified dependents in accordance with the Texas Employee's Group Benefits Program

as administered and implemented by the Employees Retirement System of Texas. The current health care carrier is Blue Cross Blue Shield of Texas (PPO).

## Optional Retirement Plan Policy 4351 (09/28/95)

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South Texas College will distribute to eligible employees the 1.31% state funded optional retirement contribution to the extent funds are available from the state. Eligibility will be limited to those employees who received the 1.3% ORP contribution during the 1994 – 1995 academic year. This includes employees who were employed by UTPA and UTB during the 1994 – 1995 academic year.

The 1.19% ORP contribution will continue for the 1999 – 2000 academic year for those employees who received the additional contribution during the 1994 – 1995 academic year.

South Texas College will distribute the State regulated 6% of the ORP contribution to eligible employees.

## Tax Sheltered Annuities

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South Texas College makes available to all eligible employees the 403(b) plan (tax sheltered annuities). The conditions and procedures necessary for an insurance carrier to be authorized to write tax sheltered annuities for eligible employees of the College, together with additional comments concerning the Tax Sheltered Annuity Program, are provided below. To request authorization, the President or general counsel for the insurance company must write a letter addressed to the Vice President of Finance and Administrative Services.

### **TRANSFER OF CARRIERS**

Active employees who are eligible to participate in the Optional Retirement Program or Tax Sheltered Annuity Program may continue with the same carrier or choose to transfer to another carrier during STC's benefit open enrollment period.

Employees who are eligible to participate in the Optional Retirement Program or Tax Sheltered Annuity Program and who are already participating in such programs shall be allowed the option of continuing such participation with the same carrier whenever such employee transfers from one institution of education to another.

## Liability and Insurance

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The laws governing teacher liability for injuries sustained by students are vague and the extent to which teachers may be held liable is inconclusive. All faculty members are cautioned that the vagueness of their legal liability status leaves them in a rather precarious position and they should exercise all reasonable precaution to avoid the possibility of being held liable for accidental injury.

To minimize the likelihood of being held liable for damages, certain rules can be stated. Students must never be permitted to use equipment that is unsafe or to be exposed to undue or needless hazards or dangerous situations. Neither should they be permitted to use equipment without prior instruction about its safe operation and they must demonstrate to the instructor's satisfaction that they know and understand how to operate it in a safe manner.

Students should never be left unsupervised in a shop or laboratory. Adequate precautions should be taken in those instances when students are permitted in shops or laboratories on an individual basis to do make-up or additional work. Similarly, regulations should be established to safeguard against unscheduled usage of equipment by students.

***For more benefits information refer to Employee Benefits Handbook available from the Office of Human Resources. It is also available on the College's website.***

# Acknowledgement of Receipt of Employee Handbook

I acknowledge receipt of South Texas College's Employee Handbook. I understand that it is my responsibility to read and familiarize myself with the provisions of the policies and the Employee Handbook. If I have questions, I should contact the Office of Human Resources.

I agree to comply with the guidelines, policies, and procedures of South Texas College. I understand that my employment and compensation are not for any definite term and may at anytime be terminated at will by either myself or South Texas College.

I understand that the Employee Handbook is not an employment contract, but does provide the organizational employment policies and procedures by which I am governed.

I acknowledge and understand that changes to the contents of this handbook can be unilaterally made by the College without providing me with advance notice of any change.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**THIS FORM MUST BE REMOVED FROM THIS HANDBOOK AND RETURNED TO THE OFFICE OF HUMAN RESOURCES**