

All College District employees shall perform their duties in accordance with state and federal law, College District policy, and ethical standards.

All College District personnel shall recognize and respect the rights of students, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the College District.

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

Violations

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as College District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCC, DIAA, and DM series]

Unless required by law, engagement in any action prohibited by Chapter 51 of the Texas Education Code and related to diversity, equity, and inclusion (DEI) programs and activities including:

- a. Establishing and maintaining a DEI office or hiring an employee or contractor to perform such duties;
- b. Compelling or otherwise soliciting a DEI statement from any person or giving preferential treatment or consideration based on a DEI statement;
- c. Giving preference on the basis of race, sex, color, ethnicity or national origin to any employee, applicant, or participant in any college function; and
- d. Mandating DEI training as a condition of enrolling or performing any institutional function, unless the training is otherwise permitted by applicable law.

In addition, expression that is considered unlawful or disruptive to the operations of the College District, including, but not limited to, expression that is considered harassment (to include discriminatory harassment) or antisemitism. [see DGC (LOCAL)]

Misconduct by Certain Law Enforcement Personnel

The College President or designee and the College District police department shall develop regulations, in accordance with law, addressing the investigation of allegations of misconduct by peace officers and telecommunicators.

Electronic Media

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the internet, and social network

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sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.

Record Retention An employee shall comply with the College District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CIA and GCB]

Personal Use Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or College District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Safety Requirements All employees shall adhere to College District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

Tobacco and E-cigarettes An employee shall not use tobacco products or e-cigarettes on College District property, in College District vehicles, or at College District-related activities, unless authorized by the College President or designee. [See FLBD]

An employee shall not give or sell tobacco products or e-cigarettes to a person in violation of law.

Alcohol and Drugs A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

The use, possession, and/or distribution of controlled substances that are not medically necessary and prescribed by a licensed physician shall be prohibited on campus. Furthermore, it is the policy of the College District that employees shall be prohibited from using, possessing, controlling, manufacturing, transmitting, distributing, dispensing, selling, or being under the influence of any of the following substances while conducting College District business or while on College District property, in College District vehicles, or at College District-related activities, whether during or outside of usual working hours:

1. Any controlled substance, illegal drug, or dangerous drug as defined by law, or this policy, including but not limited to marijuana, hashish, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, cocaine, PCP, LSD, heroin, dilaudid, quaaludes, or methamphetamines.
2. Alcohol or any alcoholic beverage.

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3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any performance-enhancing substance, including steroids.
5. Any designer drug.
6. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances shall also be prohibited under this policy.

An employee need not be legally intoxicated to be considered “under the influence” of alcohol, a controlled substance, or an illegal drug.

The College District recognizes that alcoholism and drug and/or controlled substance dependency are illnesses and disorders. The College District shall seek to provide channels of referrals for help, but it shall be the student’s or employee’s responsibility to seek help.

An employee shall be prohibited from reporting to work under the influence of alcohol, illegal drugs, or controlled substances.

Exceptions

An employee who manufactures, possesses, controls, sells, transmits, distributes, or dispenses a substance listed above as part of the employee’s job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee’s personal use shall not be considered to have violated this policy.

It shall not be considered a violation of this policy if the employee:

1. Cultivates, possesses, transports, or sells hemp as authorized by law; or
2. Possesses, sells, or distributes Dextromethorphan.

With the prior consent of the Board or the College President, the alcohol provisions may be waived with respect to a specific location on College District property or a specific event that is sponsored by the College District. The use of College District facilities for this purpose shall require the completion of an application, as well as written approval from the College President prior to the event.

The Board designates the T.V. Munson Viticulture and Enology Center and other facilities as locations where, in conjunction with instructional purposes associated with the Viticulture/Enology/Dis-

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tillation curriculum, possession and consumption of alcoholic beverages is approved only in the form of partially fermented grape juice, distilled spirits, and wine in accordance with state and federal laws.

State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

Paraphernalia

The use, possession, control, manufacture, transmission, distribution, dispensation, or sale of paraphernalia related to any prohibited substance is prohibited.

Notice

Each employee shall be given a copy of the College District's notice regarding a drug-free workplace. [See DI(EXHIBIT)]

Arrests, Indictments, Convictions, and Other Adjudications

An employee shall notify the employee's immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or offense involving moral turpitude.

Moral Turpitude

Moral turpitude includes but is not limited to:

1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
6. Acts constituting abuse under the Texas Family Code.

Consensual Relationships

Policy Statement

Consensual relationships between staff members in positions of authority and their subordinates or between faculty members and their students shall not be permitted by the College District.

Any employee in a position of authority and any faculty member need to be sensitive to the potential for sexual harassment, as well as conflicts of interest in personal relationships with subordinate faculty and staff members or with students.

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Consensual Relationships That Result in Sexual Harassment

The type of relationship addressed in this policy is one of an amorous or sexual nature. When disparities in authority are present between two individuals involved in a consensual relationship, questions about professional responsibility and sexual harassment may arise. What might appear to be consensual, even to one of the parties involved, may in fact not be so. A faculty member exercises power over students, and an individual in a management/supervisory position exercises power over subordinates and students through praise or criticism, performance evaluations or grades, recommendations for further studies or future employment, or conferral of other benefits; therefore, diminishing the student's or subordinate's actual freedom of choice.

Examples of consensual relationships that might be construed as sexual harassment may include, but are not limited to, situations where:

1. The subordinate party or student in the consensual relationship feels unwanted pressure to become involved in and/or to continue the relationship;
2. The subordinate party or student in the consensual relationship feels compelled to change behavior and/or job duties because of the consensual relationship; and
3. The consensual relationship has the purpose or effect of creating a work or academic environment in which others are negatively affected by the existence of that relationship.

In each of the above instances, the consensual relationships may be deemed sexual harassment. Consensual relationships that involve allegations of sexual harassment shall be handled according to the provisions of the sexual harassment policy. [See DIA series for employees and FFD series for students]

Other Inappropriate Consensual Relationships

A consensual relationship between a faculty member or staff member in a position of authority and subordinates or students is inappropriate and shall be considered a violation of College District policy, whether or not such relationships result in sexual harassment. Such consensual relationships may not contain clear elements of sexual harassment. Nonetheless, such relationships can create problems including conflicts of interest, favoritism, and low morale. These relationships often carry the potential for sexual harassment. Such relationships shall be considered sanctionable behavior. Sanctions for inappropriate consensual relationships that do not contain clear elements of sexual harassment may include:

1. Instruction to the parties to terminate the relationship;

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2. Transfer of one of the parties to a new department or job responsibility; or
3. Other disciplinary actions, including demotion or termination in severe cases.

Reports of inappropriate consensual relationships that do not contain clear elements of sexual harassment shall follow College District policies and procedures normally used in dealing with misconduct of faculty and staff.

Dress Code

The personal appearance and hygiene of each employee affects student success. By presenting a professional appearance, an employee provides a positive model to students, minimizes disruptions, avoids safety hazards, and earns respect for the employee's role at the College District. Employee dress shall be in good taste and shall be modest. It must also be appropriate for the employee's duties and responsibilities. Casual dress may only be worn on days designated for special activities or as designated by the College President. Employees shall avoid extremes of dress, dress that is a distraction to others, and dress that may cause any disruption of work.

Administration of
Dress Code

Each supervisor has the primary responsibility for employees under the supervisor's authority. Questions of consistency may be addressed to the department of human resources. The College President or designee shall have final authority regarding a dispute of this provision.

**Carrying of
Concealed
Handguns**

In accordance with law, employees who possess a license to carry a concealed handgun may do so on College District property. The College District expects employees to practice safe gun handling procedures at all times and to report any incidents involving accidental discharges or other incidents involving a concealed handgun.

College District employees are required to keep their handgun concealed at all times unless a situation arises that would cause an employee to justify the use of deadly force. All reports of failure to conceal a handgun shall be investigated. Failure to conceal may result in disciplinary action, which may include termination of employment and/or criminal penalties in accordance with law.

In the event a firearm is discharged by an employee, law enforcement shall be asked to conduct a thorough investigation to determine the cause of the discharge. In conjunction with the police investigation, the human resources office shall work with subject matter experts to review the circumstances of the incident. In the event the discharge was the result of reckless behavior or other

negligent action by the employee, disciplinary action may be taken, up to and including termination of employment. Criminal prosecution may be sought, depending on the nature and severity of the event.

College District employees are required to follow all College District policies with respect to locations where weapons are prohibited [see CHF]. Violation may result in disciplinary action, which may include termination of employment, as well as criminal charges in accordance with law.

Code of Conduct

The following code of conduct shall apply to all faculty, staff, employees, and volunteers while they are on the premises of the College District or when they are away representing the College District or attending a College District function.

An employee shall not:

1. Solicit, accept, or agree to accept any benefit, gift, favor, or service that might reasonably tend to influence the employee in the discharge of official duties, or that the employee knows or should know is being offered with the intent to influence official conduct.
2. Intentionally or knowingly solicit, accept, or agree to accept any benefit for exercising the employee's official powers or performing official duties in favor of another.
3. Disclose confidential information, information that is excluded from public disclosure under the Texas Public Information Act (PIA) or the Family Educational Rights and Privacy Act (FERPA) or disclose information that has been ordered sealed by a court and was acquired because of the employee's official position. Additionally, the employee shall not accept other employment, including self-employment, or engage in a business, charity, nonprofit organization, or professional activity that he or she might reasonably expect would require or induce the employee to disclose confidential information, information that is excluded from public disclosure under the Texas PIA, FERPA, or information that has been ordered sealed by a court that was acquired because of the employee's official position.
4. Accept employment, including self-employment or compensation or engage in a business, charity, nonprofit organization, or professional activity that could reasonably be expected to impair the employee's independence of judgment in performing official duties.

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5. Utilize College District time, property, facilities, or equipment for any purpose other than official College District business, unless such use is reasonable and does not result in any direct cost to the College District, interfere with official duties, or interfere with College District functions.
6. Engage in the theft of federal or state funding (including loans or grants), College District property, another employee's property, or a student's property.
7. Influence hiring or employment practices with respect to race, sex, color, or ethnicity, other than neutral hiring process.
8. Provide or promote differential treatment or special benefits based on race, color, or ethnicity.
9. Mandate trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, sexual orientation, unless developed by an attorney and approved in writing by general counsel and the Coordinating Board for the sole purpose of ensuring compliance with a court order, state, or federal law. Exceptions may be during academic instruction, scholarly research or creative works and when led by student groups or organizations.
10. Knowingly make misleading statements, either oral or written, or provide false information during official College District business or falsification of College District records, including, but not limited to, timesheets or timecards, leave forms, expense reports, and employment records. This shall also include "punching out" on another employee's timecard or completing another employee's timesheet without a supervisor's permission.
11. Engage in any criminal act, except a traffic offense, on College District property or property controlled by the College District.
12. Engage in any political activity while on College District time or utilize College District resources for any political activity.
13. Engage in any act or threat of an act that would place at risk the health or safety of the students, employees, guests, or other individuals on campus and during off-campus activities.

An employee shall:

1. Perform the employee's official duties in a lawful, professional, and ethical manner benefiting the College District;

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2. Report any conduct or activity that the employee believes to be in violation of this policy to the College District's human resources department or legal counsel;
3. Maintain a positive and professional work atmosphere by acting and communicating in a manner where the employee respects the rights of guests, students, faculty, and staff while on campus or at any time the employee is representing the College District; and
4. Follow and comply with all College District policies, regulations, or rules.