



AGENDA

BOARD GOVERNANCE COMMITTEE OF THE BOARD OF TRUSTEES

**August 6, 2025
2:30 PM**

3100 Main Street, 2nd Floor Auditorium, Houston, Texas 77002

**NOTICE OF A MEETING OF THE
Board Governance Committee
OF THE BOARD OF TRUSTEES**

HOUSTON COMMUNITY COLLEGE

August 6, 2025

Notice is hereby given that a Meeting of the Board Governance Committee of the Board of Trustees of Houston Community College will be held on Wednesday, August 6, 2025 at 2:30 PM, or after, and from day to day as required, 3100 Main Street, 2nd Floor Auditorium, Houston, Texas 77002. The items listed in this Notice may be considered in any order at the discretion of the Committee Chair and items listed for closed session discussion may be discussed in open session and vice versa as permitted by law. Actions taken at this Meeting do not constitute final Board action and are only Committee recommendations to be considered by the Board at the next Regular Board meeting.

I. Call to Order

- A. Opportunity for Public Comments

II. Topics For Discussion and/or Action:

- A. Proposed Changes to Policy FLA (LOCAL), DGC (LOCAL), and GD (LOCAL) in Compliance with Senate Bill 2972 Limiting Expressive Activities on Campus
- B. Proposed Changes to CDC (LOCAL) - Accounting: Audits
- C. Approve Rescission of Policy DGD (LOCAL) and DHBB (LOCAL)
- D. Faculty Senate Establishment Under Senate Bill 37 and Approve BGC (LOCAL)

III. Adjournment to closed or executive session pursuant to Texas Government Code Sections 551.071; 551.072 and 551.074, the Open Meetings Act, for the following purposes:

A. Legal Matters

Consultation with legal counsel concerning pending or contemplated litigation, a settlement offer, or matters on which the attorney's duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

B. Personnel Matters

Deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer, employee or board member to hear complaints or changes against an officer, employee or board member unless the officer, employee or board member who is the subject of the deliberation or hearing requests a public hearing.

C. Real Estate Matters

Deliberate the purchase, exchange, lease, or value of real property for Agenda items if deliberation in an open meeting would have a detrimental effect on the

position of the System in negotiations with a third person.

IV. Additional Closed or Executive Session Authority:

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Board should be held or is required in relation to any items included in this Notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this Notice or as soon after the commencement of the meeting covered by the Notice as the Board may conveniently meet in such closed or executive meeting or session concerning:

Section 551.071 - For the purpose of a private consultation with the Board's attorney about pending or contemplated litigation, a settlement offer, or matters on which the attorney's duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.

Section 551.072 - For the purpose of discussing the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073 - For the purpose of considering a negotiated contract for a prospective gift or donation to the System if deliberation in an open meeting would have a detrimental effect on the position of the System in negotiations with a third person.

Section 551.074 - For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer, employee or board member to hear complaints or charges against an officer, employee or board member unless the officer, employee or board member who is the subject of the deliberation or hearing requests a public hearing.

Section 551.076 - To consider the deployment, or specific occasions for implementation of security personnel or devices, or a security audit.

Section 551.082 - For the purpose of considering discipline of a student or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing, unless an open hearing is requested in writing by a parent or guardian of the student or by the employee against whom the complaint is brought.

Section 551.084 - For the purpose of excluding a witness or witnesses in an investigation from a hearing during examination of another witness in the investigation. Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

A. The open meeting covered by this Notice upon the reconvening of the public meeting, or

B. At a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

V. Reconvene in Open Meeting

VI. Adjournment

CERTIFICATE OF POSTING OR GIVING NOTICE

On this **1st day of August 2025**, this Notice was posted at a place convenient to the public and readily accessible at all times to the general public at the following locations: (1) the HCC Administration Building of the Houston Community College, 3100 Main, First Floor, Houston, Texas 77002 and (2) the Houston Community College's website: www.hccs.edu.

Posted By:

Sharon R. Wright
Director, Board Services

ACTION ITEM

Meeting Date: August 6, 2025

Topics For Discussion and/or Action:

| ITEM # | ITEM TITLE | PRESENTER |
|--------|---|---|
| A. | Proposed Changes to Policy FLA (LOCAL), DGC (LOCAL), and GD (LOCAL) in Compliance with Senate Bill 2972 Limiting Expressive Activities on Campus | Dr. Margaret Ford Fisher Dr. Nicole Montgomery Dr. Melissa Mihalick |

RECOMMENDATION

Approve proposed revisions and updates to policies: FLA (LOCAL), DGC (LOCAL), and GD (LOCAL).

COMPELLING REASON AND BACKGROUND

The Texas Legislature recently passed Senate Bill 2972, which amended the law that regulates expressive activities on college campuses. The amendments are effective September 1, 2025. The amendments require revisions to HCC’s free speech policies. In addition, in light of other developments in the courts regarding freedom of speech, the Administration has made additional updates and clarifications to improve the readability of the policies. The affected policies are FLA (students), DGC (employees), and GD (campus visitors).

STRATEGIC ALIGNMENT

1. Student Success, 3. Academic Rigor , 5. College of Choice

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------------|-------------|------------|
| DGC(LOCAL) Policy | 7/25/2025 | Attachment |
| FLA(LOCAL) Policy | 7/30/2025 | Cover Memo |
| GD(LOCAL) Policy | 7/28/2025 | Attachment |

This item is applicable to the following: District

Note: For expression and use of College District facilities and grounds by students and registered student organizations, see FLA. For expression and use of College District facilities and grounds by the community, including by nonstudents and organizations that are not registered student organizations, see GD. For use of the College District's internal mail system, see CHE.

Academic Freedom

Faculty members are entitled to academic freedom in the conduct of research and teaching and are tasked with the associated responsibilities. To this end, the College District endorses the academic freedom principles set forth in the [Statement of Principles on Academic Freedom and Tenure \(PDF\)](#)¹ published by the Association of American Colleges and Universities and the American Association of University Professors.

Each faculty member shall have freedom in the classroom to discuss the subject he or she teaches. Additionally, each faculty member shall be expected to not introduce controversial matters that have no relation to the classroom subject into his or her teachings. A faculty member shall, when speaking, make clear that his or her opinions are not necessarily those of the College District. At the same time, a faculty member shall strive to be accurate in his or her statements and to be willing to listen to and show respect for others who express different opinions.

Institutions of higher learning exist for the common good. The common good depends upon a free search for truth and its free expression. Therefore, it is essential that College District faculty be free to pursue scholarly inquiry without undue restriction and to voice and publish their conclusions concerning the significance of evidence they consider relevant. A faculty member shall be free from the corrosive fear that others, inside or outside the college community, may threaten his or her professional career because his or her vision differs from that of others. A faculty member shall be entitled to freedom in the classroom to discuss the subject being taught to the full extent permitted by law. Furthermore, ~~a faculty member~~s shall be free from ~~unlawful~~institutional censorship or discipline when ~~they he or she~~ speaks, writes, or acts in a private capacity and communicate on matters of public concern ~~as a citizen of his or her nation, state, and community.~~

The concept of academic freedom shall be accompanied by an equally demanding concept of responsibility, shared by the Board, administrators, and faculty members. Exercise of professional integrity by a faculty member shall include recognition that the public may judge the member's profession and the College District by the

Commented [JL1]: All revisions and updates in this policy are made by the Administration, in compliance with S.B.2972. Board Counsel is in concurrence.

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faculty member's statements. Therefore, faculty members shall avoid creating the impression that they are speaking or acting for the College District when speaking or acting as private citizens. Faculty members shall be judicious in the use of controversial material in the classroom and shall only introduce such material when it has a clear relationship to the subject matter of the course being taught.

Complaints regarding alleged violations of the right to academic freedom shall be filed in accordance with DGBA(LOCAL).

**Employee
Communications**

The Board promotes the free exchange of ideas and information throughout the College District and provides equal treatment and equal employment opportunities to all persons without regard to race, color, religion, gender identity and gender expression, national origin, age, disability, sex, sexual orientation, veteran status, or political, philosophical, ideological, or academic viewpoint.

The Board recognizes the right of all faculty and staff to engage in expressive activities, individually or in groups, on campus or off campus, orally or in writing or visually, as permitted by law and subject to applicable College District policies and procedures. If an employee's expressive activities become disruptive to the operations of the College District, the College District may take administrative or disciplinary action, but before doing so will evaluate and balance the employee's interest in speaking against the College District's interest in promoting the efficiency of the public services it performs through its employees.

**Employee
Expressive Activities
in Outdoor Common
Areas**

Employees and employee organizations recognized by the College District may engage in expressive activities in the outdoor common areas of the College District, subject to the restrictions contained in this policy and in administrative regulations promulgated by the Chancellor or designee. Restrictions on outdoor expressive activity must be content neutral and viewpoint neutral and narrowly tailored to serve a significant institutional interest and must ensure ample means for expression.

"Common outdoor area" as used in this policy refers to outdoor spaces that are not regularly used for dedicated College District business, do not have an educational function, and/or are not currently being used for a College District activity, program, or function. "Common outdoor area" generally includes plazas, sidewalks, lawns, and courtyards. The term "outdoor common area" excludes the outside surfaces of a College District building, surfaces associated with or connected to a College District building such as a porch or portico, a College District structure, spaces dedicated to temporary outdoor banners, spaces dedicated to temporary outdoor exhibits, and sites under construction.

DATE ISSUED: ~~11/16/2022~~ __/__/2025
LDU 2022.03
DGC(LOCAL)-X

Adopted:
~~8/17/2022~~ __/__/2025

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**Time, Place, Manner
Rules for Outdoor
Common Areas**

Expressive activities in common outdoor areas are allowed unless:

1. The person's conduct is unlawful as defined in the Limitations on Content stated in this policy;
2. The use or activity would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
3. The use or activity would materially or substantially disrupt or disturb the academic program or business operations of the College District; or
4. The use or activity would result in damage to or defacement of property.

The following time, place, and manner rules apply to expressive activities occurring in outdoor common areas.

- A. No employee or employee organization may engage in expressive activity within a ten-foot clearance around points of entry and the perimeter of College District buildings, facilities, and garages. In addition, outdoor expressive activities by employees may not take place:
1. In areas reserved for an official College event during the specific times reserved for the official College event;
 2. In areas that block free movement of pedestrian or vehicle traffic;
 3. In areas that prevent or substantially hinder entry or exit of a campus building; or
 4. In any area on campus during times that the College District campus is closed to the public.
 5. When there is inclement and unsafe weather, a public health warning, terror alert, or other emergency requiring the College District to focus its resources on public safety.
- B. While engaging in expressive activities, employees shall not:
- interfere with the free entry to or exit from a building, structure, or facility;

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- interfere with the flow of pedestrians or vehicular traffic on sidewalks or streets or at places of ingress and egress to and from property, buildings, garages, parking lots, or facilities;
 - deny the use of offices or other facilities to students, faculty, staff, or guests of the College District;
 - threaten or endanger the safety of any person on a campus;
 - engage in conduct that is likely to result in damage or defacement to or destruction of College District property or to cause disruption in utilities;
 - create a sustained or repeated noise disturbance that substantially interferes with a speaker's ability to communicate with others and/or the rights of others to listen;
 - attempt to prevent a College District event or other lawful assembly by the threat or use of force or violence;
 - use or display an open flame or fireworks; or
 - engage in camping or erect tents or other living accommodations on campus, regardless of whether the camp, tent, or other structure is temporary.
- C. *Restrictions on Noise.* Employees who engage in expressive activities on campus may not use bullhorns. Other amplified sound is allowed in outdoor common areas between 8 a.m. and 10 p.m.; however, neither amplified sound nor drums or other percussive instrument is permitted during the last two weeks of the semester or term. In addition, at no time may amplified sound, drums, or other percussive instruments be used to intimidate others, interfere with campus operations, or interfere with an HCC employee's or peace officer's lawful performance of a duty. Noise levels from any source, including clapping and chanting, may not unduly interfere with or materially and substantially disrupt classes, meetings, or other nearby activities in progress.
- D. *Guest Speakers.* Employees and employee organizations may not invite guest speakers to speak on campus during the last two weeks of the semester or term. The

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Carrying Signs and
Distributing on-of
Literature in Outdoor
Common Areas

Chancellor or designee will establish administrative regulations governing guest speakers on campus.

- E. *Restrictions on Face Coverings.* While engaging in expressive activities, employees may not wear a mask, facial covering, or disguise that (i) conceals the identity of the wearer and (ii) is calculated to obstruct the enforcement of these rules or the law, to prevent identification, or to intimidate, hinder or interrupt a College District employee or police officer in the lawful performance of their duties. This prohibition does not apply to masks worn for health-related reasons or used as part of a College-sanctioned theatrical performance.
- F. *Protection of Flags.* No employee shall interfere with the College District's display of the American or Texas flags. In particular, no employee may lower the College District's flag with the intent to raise the flag of another nation, organization, or group.
- G. *Restrictions on After-Hour Activities.* Expressive activities are not permitted in outdoor common areas between 10 p.m. and 8 a.m. This prohibition is not intended to foreclose ordinary conversation or other peaceful and non-disruptive communications protected by law.
- H. Should the size of any gathering exceed the maximum number of participants that is safe for a given location, including a reserved space, campus officials may relocate the participants to an area on campus that is better suited to the size of the gathering to the extent relocation is practicable.

Employees and employee organizations recognized by the College District may carry signs or distribute written or printed materials, petitions, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District in outdoor common areas without prior permission so long as the content of the material and the manner of distribution comply with this policy. No materials can ~~shall not~~ be sold, ~~circulated, distributed, or posted~~ on any College District premises by any employee or employee organization, except in accordance with this policy. The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by an employee or employee organization.

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| | Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities are not governed by this policy. |
| Limitations on Content | <p>The following types of Mmaterials and expressive activities shall not be distributed by an employee or employee organization are not allowed on property owned or leased by the College District property if:</p> <ol style="list-style-type: none">1. The material/expressive activity isare obscene;2. The materials/expressive activity containis defamatory; statements about public figures or others;3. The materials/expressive activity advocates imminent lawless or disruptive action and isare likely to incite or produce such action;4. The materials/expressive activity are considered prohibited harassment [see DIA series and FFD series]. The College District adopts the definition of antisemitism set forth in Section 448.001 of the Texas Government Code in accordance with Executive Order GA-44 (2024);5. The materials/expressive activities contain fighting words or a true threat. A true threat is (i) a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals regardless of the speaker intends to inflict actual harm or (ii) an act of intimidation in which the speaker directs a threat to a person or group of persons with the intent of placing the victim(s) in fear of bodily harm or death.2.6. The materials/expressive activities constitute commercial speech or nonpermissible solicitation [see DHC]; or7. The materials infringe upon intellectual property rights of the College District [see CT]. |
| Time, Place, and Manner Restrictions | <p>Distribution of materials in outdoor common areas shall be conducted in a manner that:</p> <ol style="list-style-type: none">1. Is not disruptive to College District operations;2. Does not impede reasonable access to College District facilities;3. Does not result in damage to College District property or damage the property of other persons; |

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| | <p>3.4. Does not coerce or badger another person into receiving the materials;</p> <p>4.5. Does not interfere with the rights of others; and</p> <p>5.6. Does not violate local, state, or federal laws or College District policies and procedures.</p> <p>The distributor shall clean the area wherearound which the literature was distributed by picking up and disposing of any materials that were discarded or leftover.</p> <p>Indoor areas of College District buildings and facilities, including classrooms, are not public forums for distribution of literature. The Chancellor or designee operations officer shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by employees or employee organizations to employees or others inside College District buildings and facilities and areas that are not considered common outdoor areas.</p> |
| Posting of Signs | <p>For the purposes of this policy, "sign" means a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign made of paper or cardboard, and a "posting" is any means used for displaying a sign.</p> <p>Except for signs that violate this policy or administrative regulations, an employee or recognized employee organization may post a sign on College District property in outdoor common areas or locations in accordance with administrative regulations established by the College Chancellor or designee for this purpose. No object other than a sign may be posted on College District property.</p> |
| Restrictions | <p>A sign to be posted shall not be larger than 22 inches by 28 inches, unless authorized by the Chancellor or designee. A sign affixed to a wooden stake may be placed in a lawn or grassy area; metal stakes are not permitted. Individuals and organizations are limited to one sign per lawn, bulletin board, or other area where signage is permitted. A sign shall not be attached or posted:</p> <ol style="list-style-type: none">1. To a shrub or plant;2. To a tree, except by string to its trunk;3. To a permanent sign installed for another purpose, including, for example, a traffic sign or a sign containing a building name or room identifier;4. To cover up another person's or group's sign; |

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Removal

5. To a fence or chain or its supporting structure;
6. To a brick, concrete, or masonry structure;
7. To a statue, monument, or similar structure;
8. On or adjacent to a fire hydrant;
9. To or on a vehicle not owned by the student; or
10. In a College District building, except on a bulletin board designated for that purpose.

An employee or recognized employee organization shall remove each sign not later than 14 days after posting or, if it relates to an event, not longer than 24 hours after the event to which it relates has ended.

A sign posted in accordance with this section shall not be removed without permission from the Chancellor or designee, the employee, or the recognized employee organization.

[insert heading: Carrying Signs]

Employees may display signs in outdoor common areas only by carrying them in their hands or otherwise attaching them to their persons or wheelchairs; signs on stakes or poles are not allowed. A sign carried by an employee shall not be larger than 22 inches by 28 inches.

Any person holding or carrying a sign will exercise due care to avoid bumping, hitting, or injuring any other person. In addition, a person holding or carrying a sign must take reasonable steps to avoid blocking the view of another person.

**Use of Facilities and
Grounds; Reserving
Space**

While no approval or reservation is required to engage in expressive activity in an outdoor common area, employees and recognized employee organizations may reserve an outdoor space on campus for their planned activity. Employees and recognized employee organizations who reserve an area in advance generally will have the right to the reserved space for the time covered by the reservation. Other persons or organizations using the same space without a reservation must yield the space immediately at the beginning of the other group's reserved time.

The Chancellor or designee will prepare administrative procedures regarding reservation of outdoor spaces and reservation of indoor ~~The~~ facilities and grounds of the College District. ~~Reservations are permitted unless they shall be made available to employees or employee organizations when such use does not conflict with use by, or any of the policies and procedures of, the College District.~~

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| Requests | <p>The requesting employees or employee organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Chancellor. [See DGD Local]</p> <p>An "employee organization" is an organization composed only of College District faculty and staff or an employee professional organization recognized by the College District.</p> <p>To request an opportunity to reserve a meeting spacepermission to meet or to host a speaker in College District facilities, interested employees or employee organizations shall file a written request with the operations officer or designee in accordance with administrative procedures.</p> |
| | <p>The employees or the employee organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by these these rules. Any employee or employee organization with outstanding obligations due to the College District beyond 30 days may face disciplinary action.</p> |
| | <p>The Chancellor shall have the authority to approve or deny the serving of alcohol at any College District facility in accordance with criteria set forth in administrative regulations. All requests to serve alcohol must be included in the reservation packet and submitted for Chancellor approval. [See DH(LOCAL)]</p> |
| Approval Process | <p>The operations officer or designee shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint of the employee or employee organization and without regard to the anticipated reaction of others to the anticipated speech. , or other content of the speech likely to be associated with the employees' or employee organization's use of the facility.</p> |
| | <p>Approval shall not be granted when the official has reasonable grounds to believe that:</p> <ol style="list-style-type: none">1. The College District facility requested is unavailable at the time requested or is inadequate or inappropriate for the size or nature of the activity;2. The proposed use conflicts with previously scheduled activities and events in the same area; |

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3. The applicant is under a disciplinary penalty or sanction for other violations of College policy or procedure that has resulted in a loss of College privileges;
4. The applicant is ineligible due to a previous violation of this policy within the previous six months (including prior non-compliance, including but not limited to, failure to remove personal items and trash during a prior expressive activity);
- ~~1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;~~
- ~~2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;~~
- ~~3.5.~~ The proposed use involves commercial activity or includes nonpermissible solicitation [see DHC];
- ~~4.6.~~ The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
- ~~5.7.~~ The applicant owes a monetary debt to the College District and the debt is considered delinquent;
8. The proposed activity would disrupt or disturb the ~~regular~~-academic program or other operation of the College District;
9. The applicant failed to supply requested information on the application;
10. The application contains a material misrepresentation of fact;
- ~~6.11.~~ The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
- ~~7.12.~~ The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The operations officer or designee shall provide the applicant a written statement of the grounds for rejection if a request is denied. The applicant may appeal the denial in accordance with administrative procedures established by the Chancellor or designee.

*Common
Outdoor Area
Exception*

~~Common outdoor areas are traditional public forums and are not subject to the approval procedures. Employees and employee organizations may engage in expressive activities in common outdoor areas, unless:~~

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| | <p>1. The person's conduct is unlawful;</p> <p>2. The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;</p> <p>3. The use would materially or substantially disrupt or disturb the regular academic program; or</p> <p>4. The use would result in damage to or defacement of property.</p> |
| Announcements and Publicity | <p>In accordance with administrative procedures, all employees and recognized employee organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.</p> |
| Identification | <p>Employees and employee organizations using College District facilities must provide identification when requested to do so by a College District representative. From time to time it will be necessary for a College District official to ask an individual for identification. These occasions could include, but are not limited to, taking action to preserve the peace, quelling a disturbance, determining whether a person is a student or employee who is authorized to be in a particular area on campus, investigating noncompliance with this policy, confirming or modifying a reservation for a gathering, or obtaining information regarding violations of other College policies or procedures.</p> <p>Pursuant to Texas Education Code Section 51.209 and 51.232, it shall be a violation of this policy for any person who is on any property or in a building owned or controlled by the College District to refuse to identify himself or herself in response to a request by an authorized representative or any peace officer of the College District pursuant to authority of Texas law. An "institutional representative" is any member of the Board of Trustees; any College District administrator or manager; or any peace officer of the College District acting pursuant to authority of Texas law.</p> <p>A person who is asked for their identity must present proof of their identity and state truthfully: (1) their name and complete address, as substantiated by a current driver's license or other official documentation, and whether they are a student or employee of the College; and (2) their legitimate business at the College District and/or relationship to the College District. Legitimate business includes engaging in expressive activities as authorized by law or this policy.</p> |

**Violations of Policy
or State Law**

DATE ISSUED: ~~11/16/2022~~ __/__/2025
LDU 2022.03
DGC(LOCAL)-X

Adopted:
~~8/17/2022~~ __/__/2025

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DGC
(LOCAL)

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| | <p>Failure to comply with this policy, and associated procedures or state law shall result in appropriate administrative action, including but not limited to, suspension of an employee's or employee organization's use of College District facilities and/or other disciplinary action in accordance with the College District's policies and procedures and the employee handbook.</p> |
| Interference with Expression | <p>Employees and employee Faculty, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures. [See DH, FM, and FMA]</p> <p>Complaints by employees. An employee who is subjected to an on-the-scene order or directive that limits or prevents an expressive activity may test the propriety of the order or directive by filing a complaint with a designated administrator who shall render a decision as promptly as possible, generally within five business days, in accordance with administrative regulations established by the Chancellor. If the employee is dissatisfied with the ruling, the employee may file an appeal in accordance with DGBA (LOCAL).</p> |
| Appeals | <p>Decisions made by the administration under this policy may be appealed in accordance with DGBA(LOCAL) and FLD(LOCAL) as applicable.</p> |
| Publication | <p>This policy and associated procedures must be posted on the College District's website and distributed in the employee and student handbooks and other appropriate publications.</p> <p>Nothing in this policy may be construed to limit or infringe on a person's right to freedom of speech or expression protected by the First Amendment to the U.S. Constitution or by Section 8, Article I, Texas Constitution.</p> |

¹ 1940 Statement of Principles on Academic Freedom and Tenure (PDF):
<https://www.aaup.org/file/1940%20Statement.pdf>

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

FLA
(LOCAL)

Note: For expression and use of College District facilities and grounds by employees and employee organizations, see DGC. For expression and use of College District facilities and grounds by the community, including by nonstudents and organizations that are not registered student organizations, see GD.

**Student
Communication**

The Board promotes the free exchange of ideas and information throughout the College District and provides equal treatment and educational opportunities to all ~~persons~~ students without regard to race, color, religion, gender identity and gender expression, national origin, age, disability, sex, sexual orientation, ~~or~~ veteran status, or political, philosophical, ideological, or academic viewpoint.

~~Any student who engages in any act of unlawful discrimination will be subject to discipline by the College District, up to and including expulsion.~~

Students and student organizations recognized by the College District may engage in expressive activities in the outdoor common areas of the College District, subject to the restrictions contained in this policy and in administrative regulations promulgated by the Chancellor or designee. Restrictions on outdoor expressive activity must be content neutral and viewpoint neutral and narrowly tailored to serve a significant institutional interest and must ensure ample means for expression.

"Common outdoor area" as used in this policy refers to outdoor spaces that are not regularly used for dedicated College District business, do not have an educational function, and/or are not currently being used for a College District activity, program, or function. "Common outdoor area" generally includes plazas, sidewalks, lawns, and courtyards. The term "outdoor common area" excludes the outside surfaces of a College District building, surfaces associated with or connected to a College District building such as a porch or portico, a College District structure, spaces dedicated to temporary outdoor banners, spaces dedicated to temporary outdoor exhibits, and sites under construction.

~~Students and student organizations may engage in e~~Expressive activities in common outdoor areas are allowed unless: ~~unless:~~

A. ~~The person's conduct is unlawful~~ as defined in the Limitations on Content stated in this policy;

B. ~~The use or activity would constitute an immediate and actual danger to the peace or security of the College District that~~

Commented [JL1]: All revisions and updates in this policy are made by the Administration, in compliance with S.B.2972. Board Counsel is in concurrence.

STUDENT RIGHTS AND RESPONSIBILITIES
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Time, Place, Manner
Rules for Outdoor
Common Areas

available law enforcement officials could not control with reasonable efforts;

- C. The use or activity would materially or substantially disrupt or disturb the regular academic program or business operations of the College District; or
- D. The use or activity would result in damage to or defacement of property.

The following time, place, and manner rules apply to expressive activities occurring in outdoor common areas.

- A. No student or student organization may engage in expressive activity within a ten-foot clearance around points of entry and the perimeter of College District buildings, facilities, and garages. In addition, outdoor expressive activities by students may not take place:
1. In areas reserved for an official College event during the specific times reserved for the official College event;
 2. In areas that block free movement of pedestrian or vehicle traffic;
 3. In areas that prevent or substantially hinder entry or exit of a campus building; or
 4. In any area on campus during times that the College District campus is closed to the public.
 5. When there is inclement and unsafe weather, a public health warning, terror alert, or other emergency requiring the College District to focus its resources on public safety.
- B. While engaging in expressive activities, students shall not:
- interfere with the free entry to or exit from a building, structure, or facility;
 - interfere with the flow of pedestrians or vehicular traffic on sidewalks or streets or at places of ingress and egress to and from property, buildings, garages, parking lots, or facilities;
 - deny the use of offices or other facilities to the students, faculty, staff, or guests of the College District;
 - threaten or endanger the safety of any person on a campus;

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- engage in conduct that is likely to result in damage or defacement to or destruction of College District property or to cause disruption in utilities;
 - create a sustained or repeated noise disturbance that substantially interferes with a speaker's ability to communicate with others and/or the rights of others to listen;
 - attempt to prevent a College District event or other lawful assembly by the threat or use of force or violence;
 - use or display an open flame or fireworks; or
 - engage in camping or erect tents or other living accommodations on campus, regardless of whether the camp, tent, or other structure is temporary.
- C. *Restrictions on Noise.* Students who engage in expressive activities on campus may not use bullhorns. Other amplified sound is allowed in outdoor common areas between 8 a.m. and 10 p.m.; however, neither amplified sound nor drums or other percussive instrument is permitted during the last two weeks of the semester or term. In addition, at no time may amplified sound, drums, or other percussive instruments be used to intimidate others, interfere with campus operations, or interfere with an HCC employee's or peace officer's lawful performance of a duty. Noise levels from any source, including clapping and chanting, may not unduly interfere with or materially and substantially disrupt classes, meetings, or other nearby activities in progress.
- D. *Guest Speakers.* Students and student organizations may not invite guest speakers to speak on campus during the last two weeks of the semester or term. The Chancellor or designee will establish administrative regulations governing guest speakers on campus.
- E. *Restrictions on Face Coverings.* While engaging in expressive activities, students may not wear a mask, facial covering, or disguise that (i) conceals the identity of the wearer and (ii) is calculated to obstruct the enforcement of these rules or the law, to prevent identification, or to intimidate, hinder or interrupt a College District employee or police officer in the lawful performance of their duties. This prohibition does not apply to masks worn for health-related reasons or used as part of a College-sanctioned theatrical performance.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

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Carrying Signs and
Distributing ~~on~~-of
Literature in Outdoor
Common Areas

- F. *Protection of Flags.* No student shall interfere with the College District's display of the American or Texas flags. In particular, students shall not lower the institution's flag with the intent to raise the flag of another nation, organization, or group.
- G. *Restrictions on After-Hour Activities.* Expressive activities are not permitted in outdoor common areas between 10 p.m. and 8 a.m. This prohibition is not intended to foreclose ordinary conversation or other peaceful and non-disruptive communications protected by law.
- H. Should the size of any gathering exceed the maximum number of participants that is safe for a given location, campus officials may relocate the participants to an area on campus that is better suited to the size of the gathering to the extent relocation is practicable.

The Board supports and recognizes each student's right to learn. These rights include freedom of inquiry, freedom of expression, and other First Amendment rights. ~~No person or organization may distribute one or more petitions, handbills, or pieces of literature that are obscene or libelous on College District property. Students and student organizations may carry signs or distribute w~~Written or printed materials, petitions, handbills, photographs, pictures, films, tapes, or similar ~~other visual or auditory~~ materials in outdoor common areas without prior permission so long as the content of the material and the manner of distribution comply with this policy. ~~not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any College District student or registered student organization [see FKC], except in accordance with this policy.~~

The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by students or registered student organizations that is not sponsored by the College District.

Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities ~~shall~~ ~~be~~ not ~~be~~ governed by this policy.

STUDENT RIGHTS AND RESPONSIBILITIES
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The responsibility of the student in exercising his or her freedom of expression rights and complying with the contents of this policy is detailed in the student handbook.

Limitations on
Content

The following types of ~~M~~materials and expressive activities ~~shall not be distributed by students or registered student organizations~~ are prohibited on property owned or leased by the College District ~~property~~ if:

1. The materials/expressive activities are obscene.
2. The materials/expressive activities ~~are~~contain defamatory ~~statements about public figures or others.~~
3. The materials/expressive activities advocate imminent lawless or disruptive action and are likely to incite or produce such action.
4. The materials/expressive activities ~~are considered prohibited~~constitute unlawful harassment. [See DIAA, DIAB, FFDA, and FFDB] The College District adopts the definition of anti-semitism set forth in Section 448.001 of the Texas Government Code in accordance with Executive Order GA-44 (2024).
- 4.5. The materials/expressive activities contain fighting words or a true threat. A true threat is (i) a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals regardless of the speaker intends to inflict actual harm or (ii) an act of intimidation in which the speaker directs a threat to a person or group of persons with the intent of placing the victim(s) in fear of bodily harm or death.
- 5.6. The materials/expressive activities constitute ~~commercial speech or~~ nonpermissible solicitation. [See FI]
- 6.7. The materials infringe upon intellectual property rights of the College District. [See CT]

Time, Place, and
Manner Restrictions

Distribution of the materials ~~in outdoor common areas~~ shall be conducted in a manner that:

1. Is not disruptive; [See FLB]
2. Does not impede reasonable access to College District facilities;
3. Does not result in damage to College District property ~~or damage the property of other persons;~~

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

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| | <ol style="list-style-type: none">Does not coerce or badger another person into receiving the materials, or intimidate a person;Does not interfere with the rights of others; andDoes not violate local, state, or federal laws or College District policies and procedures. |
| | <p>The distributor of literature shall clean the area around which where the literature was distributed by picking up and disposing of any materials that were discarded or leftover.</p> |
| | <p>Indoor areas of College District buildings and facilities, including classrooms and employee offices, are not public forums for distribution of literature. The Chancellor or designee College President shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by students or registered student organizations to students or others inside College District buildings and facilities and in areas that are not considered common outdoor areas.</p> |
| Posting of Signs | <p>For the purposes of this policy, "sign" shall be defined as means a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign made of paper or cardboard,; and a "posting" is- shall be defined as any means used for displaying a sign.</p> <p>Except for signs that violate the restrictions in this policy and administrative procedures, a student or registered student organization may publicly post a sign on College District property in common outdoor areas and in areas or locations in accordance with administrative regulations established designated by the College Chancellor or designee President. No object other than a sign may be posted on College District property.</p> |
| Restrictions | <p>A sign to be posted shall not be larger than 22 inches by 28 inches, unless authorized by the Chancellor or designee College President. A sign affixed to a wooden stake may be placed in a lawn or grassy area; metal stakes are not permitted. Individuals and organizations are limited to one sign per lawn, bulletin board, or other area where signage is permitted. A sign shall not be attached or posted:</p> <ol style="list-style-type: none">To a shrub or plant;To a tree, except by string to its trunk;To a permanent sign installed for another purpose, including, for example, a traffic sign or a sign containing a building name or room identifier; |

STUDENT RIGHTS AND RESPONSIBILITIES
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| | <div>4. To cover up another person's or group's sign;</div> <div>4.5. To a fence or chain or its supporting structure;</div> <div>5.6. To a brick, concrete, or masonry structure;</div> <div>6.7. To a statue, monument, or similar structure;</div> <div>8. On or adjacent to a fire hydrant;</div> <div>7.9. To or on a vehicle not owned by the student; or</div> <div>8.10. In a College District building, except on a bulletin board designated for that purpose.</div> |
| Removal | <p>A student or registered student organization shall remove each sign not later than 14 days after posting or, if it relates to an event, not longer than 24 hours after the event to which it relates has ended.</p> <p>A sign posted in accordance with this section shall not be removed without permission from the Chancellor or designee, College President, the student, or the registered student organization.</p> <p>Students may carry signs in outdoor common areas by carrying them in their hands or attaching them to their persons or wheel-chairs; signs on stakes or poles are not allowed. A sign must be made of paper or cardboard and shall not be larger than 22 inches by 28 inches.</p> <p>Any person holding or carrying a sign will exercise due care to avoid bumping, hitting, or injuring any other person. In addition, a person holding or carrying a sign must take reasonable steps to avoid blocking the view of another person.</p> |
| Disclaimer | <p>Materials distributed by a registered student organization must include a disclaimer indicating that the materials are not sponsored by the College District and do not represent the views of the College District or College District officials, faculty, or staff.</p> |
| Use of Facilities and Grounds; Reserving Space | <p>While no approval or reservation is required to engage in expressive activity in an outdoor common area, students and registered student organizations may request to reserve an outdoor space on campus for their planned activity. Students and registered student organizations who reserve an area in advance generally will have the right to the reserved space for the time covered by the reservation. Other persons or organizations using the same space without a reservation must yield the space immediately at the beginning of the other group's reserved time.</p> <p>The Chancellor or designee will prepare administrative procedures regarding reservation of outdoor spaces and reservation of indoor</p> |

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

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| | <p>The facilities and grounds of the College District shall be made available to by students or registered student organizations [see FKC]. Reservations are permitted when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting student or student organization shall pay all expenses incurred by their use of facilities in accordance with a fee schedule developed by the Board.</p> |
| Requests to Reserve Facilities | <p>To request an opportunity to reserve a meeting spacepermission to meet or host a speaker in College District facilities, interested students or registered student organizations shall submit a Facilities and Reservation and Services Request Form with the College District operations officer or designee in accordance with administrative procedures.</p> <p>The students or the registered student organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.</p> <p>The Chancellor or designee shall have the authority to approve or deny the serving of alcohol at any College District facility in accordance with criteria set forth in administrative regulations. All requests to serve alcohol must be included in the reservation packet and submitted for prior approval.</p> |
| Approval Process | <p>The operations officer or designee shall approve or reject the a reservation request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint of the student or student organization and without regard to the anticipated reaction of others to the anticipated speech. , or other content of the speech likely to be associated with the student's or registered student organization's use of the facility.</p> <p>Approval shall not be granted when the operations office or other official has reasonable grounds to believe that:</p> <ol style="list-style-type: none">1. The College District facility requested is unavailable at the time requested or, is inadequate or inappropriate for the size or nature of the activity;4.2. , or inappropriate to accommodate the proposed use at the time requestedThe proposed use conflicts with previously scheduled activities and events in the same area;2.3. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facilityfor other violations of College policy or procedure that has resulted in a loss of College privileges; |

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

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*Common
Outdoor Area
Exception*

4. The applicant is ineligible due to a previous violation of this policy within the previous six months (including prior non-compliance, including but not limited to, failure to remove personal items and trash during a prior expressive activity)
 - ~~3-5.~~ The proposed use ~~involves~~~~cludes~~ commercial activity and/or nonpermissible solicitation [see FI];
 - ~~4-6.~~ The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
 - ~~5-7.~~ The applicant owes a monetary debt to the College District and the debt is considered delinquent;
 - ~~6-8.~~ The proposed activity would disrupt or disturb the ~~regular~~-academic program ~~or other operation of the College District~~;
 9. The applicant failed to supply requested information on the application;
 10. The application contains a material misrepresentation of fact;
 - ~~7-11.~~ The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
 - ~~8-12.~~ The proposed activity would constitute an unauthorized joint sponsorship with an outside group ~~or person not affiliated with the College District~~.
- The College ~~President~~-operations officer or designee shall provide the applicant a written statement of the grounds for rejection if a request is denied. The applicant may appeal the denial in accordance with administrative procedures established by the Chancellor or designee.
- ~~Common outdoor areas are traditional public forums and are not subject to the approval procedures. Students and student organizations may engage in expressive activities in common outdoor areas, unless:~~
- ~~The person's conduct is unlawful;~~
- ~~The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;~~
- ~~The use would materially or substantially disrupt or disturb the regular academic program; or~~

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

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| Announcements and Publicity | <p>The use would result in damage to or defacement of property.</p> <p>In accordance with administrative procedures, all students and registered student organizations shall be given access to communication methods on the same basis for making announcements and publicizing their meetings and activities.</p> |
| Identification | <p>Students or registered student organizations distributing materials on campus or using College District facilities shall provide identification when requested to do so by a College District representative. From time to time it will be necessary for a College District official to ask an individual for identification. These occasions could include, but are not limited to, taking action to preserve the peace, quelling a disturbance, determining whether a person is a student or employee who is authorized to be in a particular area on campus, investigating noncompliance with this policy, confirming or modifying a reservation for a gathering, or obtaining information regarding violations of other College policies or procedures.</p> <p>Pursuant to Texas Education Code Section 51.209 and 51.232, it shall be a violation of this policy for any person who is on any property or in a building owned or controlled by the College District to refuse to identify himself or herself in response to a request by an authorized representative or any peace officer of the College District pursuant to authority of Texas law. An "institutional representative" is any member of the Board of Trustees; any College District administrator or manager; any peace officer of the College District acting pursuant to authority of Texas law; or other person designated by the Chancellor in administrative regulations.</p> <p>A person who is asked for their identity must present proof of identity and state truthfully: (1) their name and complete address, as substantiated by a current driver's license or other official documentation, and whether they are a student or employee of the College; and (2) their legitimate business at the College District and/or relationship to the College District. Legitimate business includes engaging in expressive activities as authorized by law or this policy.</p> |
| Violations of Policy or State Law | <p>Failure to comply with this policy, and associated procedures, or state law shall result in appropriate administrative action, including but not limited to, confiscation of nonconforming materials, suspension of a student's or registered student organization's use of College District facilities, and/or other disciplinary action in accordance with the College District's discipline policies and procedures [see FM and FMA].</p> |

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION AND USE OF COLLEGE FACILITIES

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| Interference with Expression | <p>Faculty members, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures [see DH, FM, and FMA].</p> <p>Complaints by students. A student who is subjected to an on-the-scene order or directive that limits or prevents an expressive activity may test the propriety of the order or directive by filing a complaint with a designated administrator who shall render a decision as promptly as possible, generally within five business days, in accordance with administrative regulations established by the Chancellor. If the student is dissatisfied with the ruling, the student may file an appeal in accordance with FLD (LOCAL).</p> |
| Appeals | <p>Decisions made by the administration in accordance with this policy may be appealed in accordance with DGBA(LOCAL) or FLD(LOCAL), FM, or FMA, as applicable.</p> |
| Publication | <p>This policy and associated procedures must be posted on the College District's website and distributed in the student and employee handbooks and other appropriate publications. They must also be distributed to students at orientation.</p> <p>Nothing in this policy may be construed to limit or infringe on a person's right to freedom of speech or expression protected by the First Amendment to the U.S. Constitution or by Section 8, Article I, Texas Constitution.</p> |

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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Note: For expression and use of College District facilities and distribution of literature by students and registered student organizations, see FLA. For expression and use of College District facilities by employees and employee organizations, see DGC. For use of the College District's internal mail system, see CHE.

**Use of Access to
College District
Facilities and
Grounds**

The primary purpose of the College District is to support the educational mission and instructional programs of the College District. The College District's responsibility to operate and maintain an effective and efficient institution of higher education requires that it prioritize the needs of its students, employees, and college administration and regulate the time, place, and manner of expressive activities by visitors and those who are not affiliated with the College District.

Subject to the rules of conduct set forth in this policy and in administrative regulations, members of the public who are not HCC students, employees, or officials may visit the College District to attend public board meetings and transact business. In addition, members of the public may access certain designated facilities and outdoor locations for ~~The grounds and facilities of the College District shall be made available to members of the College District community and community organizations, including College District support organizations, when such use is~~ for nonprofit educational, charitable, recreational, civic, or social activities and the use does not conflict with use by, or any of the policies and procedures of, the College District.

**Conduct of Visitors
While on Campus**

Visitors must conduct their business in an orderly manner that is consistent with the College District's mission of providing a respectful and safe campus environment. Visitors must comply with the rules of conduct applicable to each College District facility. Visitors are expected to converse in a reasonable volume appropriate for each area being visited.

Visitors shall remain in public areas and shall not enter unauthorized areas. Visitors shall comply with the hours of operation applicable to an office or facility and shall cooperate with the reasonable requests of campus officials and campus police who are carrying out their duties.

Visitors shall ~~A~~abide by all laws and policies, including, but not limited to, those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco

Commented [JL1]: All revisions and updates in this policy are made by the Administration. Board Counsel is in concurrence.

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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Identification

products or e-cigarettes on College District property. [See CHF and GDA]

While visiting property owned or leased by HCC, whether indoors or outdoors, visitors shall not:

- disrupt classes, extracurricular activities, or the business operations of the College District;
- interfere with the free entry to or exit from a building, structure, or facility;
- interfere with the flow of pedestrians or vehicular traffic on sidewalks or streets or at places of ingress and egress to and from property, buildings, garages, parking lots, or facilities;
- deny the use of offices or other facilities to the students, faculty, staff, or guests of the College District;
- threaten or endanger the safety of any person;
- engage in conduct that is likely to result in damage or defacement to or destruction of College District property or to cause disruption in utilities;
- create a sustained or repeated noise disturbance that substantially interferes with a speaker's ability to communicate with others and/or the rights of others to listen;
- attempt to prevent a College District event or other lawful assembly by the threat or use of force or violence;
- use or display an open flame or fireworks; or
- engage in camping or erect tents or other living accommodations on campus, regardless of whether the camp, tent, or other structure is temporary.

~~A community member or organization distributing materials on campus shall provide identification when requested to do so by a College District representative.~~

From time to time it will be necessary for a College District official to ask an individual for identification. These occasions could include, but are not limited to, taking action to preserve the peace, quelling a disturbance, determining whether a person is a student

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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or employee who is authorized to be in a particular area, investigating noncompliance with this policy, confirming or modifying a reservation for a gathering, or obtaining information regarding violations of other College policies or procedures.

A visitor violates this policy if the visitor refuses to identify himself or herself in response to a request by an authorized institutional representative or any peace officer of the College District pursuant to authority of Texas law. An "institutional representative" is any member of the Board of Trustees; any College District administrator or manager; or any peace officer of the College District acting pursuant to authority of Texas law.

A visitor who is asked for their identity must state truthfully: (1) their name and complete address, as substantiated by a current driver's license or other official documentation, and whether they are a student or employee of the College District; and (2) their legitimate business at the College District and/or relationship to the College District.

A person who refuses to comply with a reasonable request for identification is subject to removal from campus.

~~Requests~~ Renting a
College Facility

~~To request permission to meet in College District facilities, interested community members or organizations shall file a written request with the College District facilities department in accordance with administrative procedures.~~ The College District's buildings, offices, classrooms, auditoriums, and facilities are not a public forum open to the public for unrestricted assembly, demonstrations, debates, or other expressive activities. Use of HCC facilities by members of the public and community organizations is prohibited except as stated in this policy.

Members of the public and community organizations may rent certain campus facilities for educational, charitable, recreational, civic, religious, or social functions. Authorized uses include, but are not limited to, meetings, lectures, workshops, art and film displays, and receptions. Commercial activities are not permitted.

The Chancellor or designee shall prepare administrative regulations to ensure an orderly and fair process for renting a campus facility.

Each application shall identify at least one responsible party who shall serve as the primary contact for the event or activity. All co-sponsors, if any, must be disclosed on the application.

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| | <p>The community members or community organization making the request shall attest in indicate writing that they have read and understand the policies and rules governing use of College District facilities and that they will abide by the ese rules.</p> |
| Events with Alcohol | <p>The applicant must state on the rental application whether the proposed event will involve the serving and consumption of alcohol. The Chancellor or designee shall have the authority to approve or deny the serving of alcohol in any College District facility based on criteria set forth in administrative regulations. All requests to serve alcohol shall be included in the reservation packet and submitted for prior approval. If alcohol is permitted to be served, the responsible party shall conduct the event in accordance with the laws of the State of Texas, rules and regulations of the Texas Alcoholic Beverage Commission, and HCC policy and administrative regulations.</p> |
| Approval Process | <p>Requests for community use of College District facilities shall be considered on a first-come, first-served basis. In the event of conflicting applications that request the same date, time, and location, the College District will use a neutral, random method to determine which applicant may reserve the requested space.</p> <p>The operations officer or designee shall approve or reject the request in accordance with provisions of and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, or academic viewpoint of the applicant, community organizations, or participants and without regard to the anticipated reaction of others. , or other content of the speech likely to be associated with the community members' or organization's use of the facility.</p> <p>Approval shall not be granted when the operations officer or other authorized official has reasonable grounds to believe that:</p> <ol style="list-style-type: none">1. The College District facility requested is unavailable at the time requested or, is, inadequate or, or, inappropriate for the size or nature of the activity;2. to accommodate the proposed use at the time requested The proposed use conflicts with previously scheduled activities and events in the same area;3. The applicant is subject to a sanction for other violations of College District policy or procedure that has resulted in a loss of the privilege to use the facility [see Violations of Policy, below] prohibiting the use of the facility; |

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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4. The applicant is ineligible due to a previous violation of this policy within the previous six months (including prior non-compliance, including but not limited to, failure to remove personal items and trash on a prior occasion);
5. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
6. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
7. The proposed activity would disrupt or disturb the ~~regular~~ academic program or other operations of the College District;
8. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property;
9. The proposed use involves a commercial activity not permitted by this policy; or

~~The proposed activity would constitute an unauthorized sponsorship with an outside group. The operations officer or designee shall provide the applicant a written statement of the grounds for rejection if a request is denied. The applicant may appeal the denial of an application by following the process in GB (LOCAL).~~

If an application is approved, the applicant must sign a rental agreement and pay all required fees and deposits in accordance with deadlines established in administrative procedures.

~~Common Outdoor
Area Exception~~

~~Common outdoor areas are traditional public forums and are not subject to the approval procedures. Community members and organizations may engage in expressive activities in common outdoor areas, unless:~~

- ~~1. The person's conduct is unlawful;~~
- ~~2. The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;~~
- ~~3. The use would materially or substantially disrupt or disturb the regular academic program; or~~
- ~~4. The use would result in damage to or defacement of property.~~

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

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Nonprofit Use

The College District shall not permit individuals or for-profit organizations to use its facilities for financial gain; however, the College District shall permit private academic instruction, as well as public performances or presentations so long as no admission fee is charged, when these activities do not conflict with College District use or with this policy.

For-Profit Use

The College District shall permit nonprofit organizations to conduct fundraising events on College District property when these activities do not conflict with College District use or with this policy.

Campaign-Related Use

Except to the extent a College District facility is used as an official polling place, College District facilities shall not be available for use by individuals or groups for political advertising, campaign communications, or electioneering, as those terms are used in state law.

Limitations on Content

The following types of materials and expressive activity are prohibited in rented facilities or on any property owned or leased by the College District:

1. The materials/expressive activities are obscene;
2. The materials/expressive activities are contain defamatory statements about public figures or others;
3. The materials/expressive activities advocate imminent lawless or disruptive action and are likely to incite or produce such action;
4. The materials/expressive activities constitute are considered prohibited harassment [see DIA series and FFD series]. The College District adopts the definition of antisemitism set forth in Section 448.001 of the Texas Government Code in accordance with Executive Order GA-44 (2024).
5. The materials/expressive activities contain fighting words or a true threat. A true threat is (i) a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals regardless of the speaker intends to inflict actual harm or (ii) an act of intimidation in which the speaker directs a threat to a person or group of persons with the intent of placing the victim(s) in fear of bodily harm or death.;
6. The materials/expressive activities constitute commercial speech or unauthorized solicitation [see Use of College District Facilities, above]; or

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

GD
(LOCAL)

| | |
|--|---|
| | <p>=====</p> <p>===== The materials infringe upon intellectual property rights of the College District [see CT].</p> <p>7.</p> |
| No-Approval Required Access to outdoor recreational facilities | Members of the public may use No approval shall be required for nonschool-related recreational use of the College District's unlocked, outdoor recreational facilities for recreational purposes , such as the track, tennis courts, and the like, when the facilities are not in use by the College District or for another scheduled purpose. Members of the public do not need prior approval but must comply with all applicable rules and regulations pertaining to the facility. |
| Written Notice If Request Rejected | The operations officer shall provide the applicant a written statement of the grounds for rejection if a request is denied. |
| Emergency Use | In case of emergencies or disasters, the Chancellor or designee may authorize the use of College District facilities by civil defense, health, or emergency service authorities. |
| Repeated Use | The College District shall permit repeated use by any community member or organization in accordance with administrative procedures. |
| Exception | Any limitations on repeated use by a community member or organization shall not apply to any group or organization when the primary participants in the activities are College District students, faculty, or staff. |
| Scheduling and Relocating an Event | Academic, and extracurricular, and business activities sponsored by the College District shall always have priority when any use is scheduled. The operations officer or designee may move a scheduled, reserved event to a different location upon the occurrence of circumstances beyond the control of the College District, including facility infrastructure disruption or inclement weather, substantial changes in the needs or size of a scheduled event, or subsequent disruption to previously scheduled college events. shall have authority to cancel a scheduled use by a community member or organization if an unexpected conflict arises with a College District activity. |
| Use Agreement | Any community member or community organization approved to use a for a nonschool use of College District facility must sign ies shall be required to complete a a written rental agreement indicating receipt and understanding of this policy and any applicable administrative regulations. The rental agreement will include the following: the applicable fee and deposit and dates and time of usage; the rules regarding return or forfeiture of a deposit; insurance requirements; |

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

GD
(LOCAL)

| | |
|---------------------------------------|--|
| Fees for Use and Return of Deposit | <p>restrictions on use of the property; security and clean-up requirements; rules regarding cancellation; the applicant's hold harmless and indemnification agreement; a statement that the applicant/ organization is responsible for injuries and damages proximately caused by the actions of the responsible party, the sponsoring organization, its officers, employees, or agents, or any person under their control, insofar as permitted by law; and a statement that and acknowledging that the the College District is not liable for any personal injury or damages to the personal property of the applicant, organization, or their participants. related to the nonschool use. Such agreement shall be consistent with the intent and general considerations of commercial rental/lease agreements, require users to provide evidence of insurance, and be signed by the College President. Requirements for evidence of insurance coverage shall be specified in risk management procedures. <u>Requirements for evidence of insurance coverage shall be specified in risk management procedures.</u></p> <p>A community member or organization authorized to use-reserve or rent College District facilities shall be charged a reasonable fee for the use of designated facilities.</p> |
| Exception | <p>The Chancellor or designee shall establish and publish a schedule of fees competitive with the current market and based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.</p> <p>After the conclusion of an event, refunds will be issued in accordance with the written rental agreement.</p> <p>Fees shall not be charged when College District buildings are used for public meetings sponsored by state or local governmental agencies.</p> |
| Required Conduct | |

**Distribution of
Literature and Other
Expressive Activities
in Outdoor Locations**

~~Community members and organizations using College District facilities shall:~~

- ~~1. Provide identification when requested to do so by a College District representative;~~
- ~~2. Abide by all laws and policies, including, but not limited to, those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products or e-cigarettes on College District property; [See CHF and GDA]~~
- ~~3. Make no alteration, temporary or permanent, to College District property without prior written consent from the Chancellor; and~~
- ~~4. Be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the College District for the cost of any such repairs.~~

Members of the public and community organizations not affiliated with HCC may distribute literature and engage in expressive activities in certain designated outdoor common areas without a permit or advance notice, subject to the time, place, and manner restrictions in this policy and in administrative regulations.

"Common outdoor area" as used in this policy refers to outdoor spaces that are not regularly used for dedicated College District business, do not have an educational function, and/or are not currently being used for a College District activity, program, or function. "Common outdoor area" generally includes plazas, sidewalks, lawns, and courtyards. The term "outdoor common area" excludes the outside surfaces of a College District building, surfaces associated with or connected to a College District building such as a porch or portico, a College District structure, spaces dedicated to temporary outdoor banners, spaces dedicated to temporary outdoor exhibits, and sites under construction. ~~Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any community member or organization, including a College District support organization except in accordance with this policy.~~

The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by a community member or organization.

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

GD
(LOCAL)

*Designation of Areas
for Expressive
Activities*

To maintain an effective institution of higher education that prioritizes its mission of providing educational services and opportunity, to reduce the risk of disruption of that mission, and to efficiently allocate resources, including deployment of campus police and maintenance staff as needed to maintain safety, order, and cleanliness, the Chancellor or designee will designate specific outdoor locations that are suitable for expressive activities by members of the public and community organizations.

*Limitations on
Content*

The Limitations on Content stated above with respect to facilities apply to expressive activities that take place in designated outdoor locations.

~~Materials shall not be distributed by a community member or organization on College District property if:~~

- ~~1. The materials are obscene;~~
- ~~2.1. The materials contain defamatory statements about public figures or others;~~
- ~~3.1. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action;~~
- ~~4.1. The materials are considered prohibited harassment [see DIA series and FFD series];~~
- ~~5.1. The materials constitute unauthorized solicitation [see Use of College District Facilities, above]; or~~
- ~~6.1. The materials infringe upon intellectual property rights of the College District [see CT].~~

*Time, Place, and
Manner Restrictions*

In addition to the other rules of conduct stated in this policy, no member of the public or community organization may engage in expressive activity within a ten-foot clearance around points of entry and the perimeter of College District buildings, facilities, and garages. In addition, expressive activities may not take place:

- A. In areas reserved for an official College event during the specific times reserved for the official College event;
- B. In any area on campus during times that the College District campus is closed to the public.
- C. When there is inclement and unsafe weather, a public health warning, terror alert, or other emergency requiring the College District to focus its resources on public safety.

Restrictions on Noise. In locations designated for expressive activities, members of the public and community organizations may not use bullhorns. Other amplified sound is allowed in designated outdoor areas between 8 a.m. and 10 p.m.; however, neither amplified sound nor drums or other percussive instrument is permitted during the last two weeks of the semester or term. In addition, at no time may amplified sound, drums, or other percussive instruments be used to intimidate others, interfere with campus operations, or interfere with an HCC employee's or peace officer's lawful performance of a duty. Noise from any source, including clapping and chanting, may not materially disrupt or interfere with classes, meetings, or other nearby campus programs activities.

Restrictions on Face Coverings. While engaging in expressive activities in an area designated for that purpose, members of the public and community organizations may not wear a mask, facial covering, or disguise that (i) conceals the identity of the wearer and (ii) is calculated to obstruct the enforcement of these rules or the law, to prevent identification, or to intimidate, hinder or interrupt a College District employee or police officer in the lawful performance of their duties. This prohibition does not apply to masks worn for health-related reasons or used as part of a College-sanctioned theatrical performance.

Protection of Flags. Members of the public and community organizations shall not interfere with the College District's display of the American or Texas flags. In particular, they shall not lower the institution's flag with the intent to raise the flag of another nation, organization, or group.

Restrictions on After-Hours Activities. Expressive activities are not permitted in designated outdoor areas between 10 p.m. and 8 a.m. This prohibition is not intended to foreclose ordinary conversation or other communications protected by law.

Restrictions on Distribution of Literature and Petitions. Individuals who distribute literature and petitions may not: ~~Distribution of materials shall be conducted in a manner that:~~

- ~~1. Is not disruptive [see FLB];~~
- ~~2. Does not impede reasonable access to College District facilities;~~
- ~~Does not result in damage to~~ College District property or damage the property of other persons;
- ~~3.~~
- ~~Does not coerce or, badger, another person into receiving the materials or intimidate a person;~~

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

GD
(LOCAL)

~~Posting~~ of
Carrying Signs

~~4.~~

- ~~• i~~ Does not interfere with the rights of others; ~~and~~ or

~~5.~~

- ~~v~~ Does not violate local, state, or federal laws or College District policies and procedures.

~~6.~~

The distributor of literature shall clean the area around which where the literature was distributed by picking up and disposing of any materials that were discarded or leftover.

Members of the public and community organizations may carry signs in outdoor areas designated for expressive activities. For the purposes of this policy, a "sign" is a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign. All signs must be hand-held or attached to the person or person's wheelchair; signs on stakes or poles are not allowed. A sign must be made of paper or cardboard and shall not be larger than 22 inches by 28 inches.

Any person holding or carrying a sign must exercise due care to avoid bumping, hitting, or injuring any other person. In addition, a person holding or carrying a sign must take reasonable steps to avoid blocking the view of another person.

Members of the public and community organizations may not post or affix signs to any HCC property. The Chancellor or designee may identify bulletin boards for community use and, if so, will prepare administrative regulations governing the use of such bulletin boards consistent with this policy.

~~The operations officer shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by community members or organizations to others in College District facilities and in areas that are not considered common outdoor areas.~~

~~For the purposes of this policy, "sign" shall be defined as a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; and "posting" shall be defined as any means used for displaying a sign.~~

~~No signs may be posted on College District property by a community member or organization unless the posting qualifies under this policy at Campaign-Related Use or is in a common outdoor area subject to administrative procedures.~~

Exception

A College District support organization may post a sign in College District facilities with prior approval of the operations officer in accordance with the procedures developed for that purpose.

COMMUNITY EXPRESSION AND USE OF COLLEGE FACILITIES

GD
(LOCAL)

| | |
|---|--|
| Identification Violations of Policy or State Law | Failure to comply with this policy and associated administrative regulations procedures or state law shall result in appropriate administrative action, including but not limited to, the suspension of the individual's or organization's use of College District facilities and/or and the confiscation of nonconforming materials. |
| Interference with Expression | Employees, Faculty members, students, and others or student or organizations that who interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures. [See DH, FM, and FMA] <i>Complaints by members of the public.</i> A member of the public or community organization who is subjected to an on-the-scene order or directive that limits or prevents an expressive activity may test the propriety of the order or directive by filing a complaint with the Office of the Vice Chancellor of Administration and Operations which shall render a decision as promptly as possible in accordance with deadlines established in administrative procedures. If the member of the public is dissatisfied with the ruling, they may file an appeal in accordance with GB (LOCAL). |
| Appeals | Decisions made by the administration in accordance with this policy may be appealed in accordance with GB(LOCAL), DGBA(LOCAL), and FLD(LOCAL) as applicable. |
| Publication | This policy and associated procedures must be posted on the College District's website and distributed in the employee and student handbooks and other appropriate publications. |
| Effective Date | This policy shall be effective as of the adoption date, August ____, 2025. June 3, 2020. Nothing in this policy may be construed to limit or infringe on a person's right to freedom of speech or expression protected by the First Amendment to the U.S. Constitution or by Section 8, Article I, Texas Constitution. |

ACTION ITEM

Meeting Date: August 6, 2025

Topics For Discussion and/or Action:

| ITEM # | ITEM TITLE | PRESENTER |
|--------|--|--|
| B. | Proposed Changes to CDC (LOCAL) - Accounting: Audits | Dr. Margaret Ford Fisher Dr. Nicole Montgomery Dr. Melissa Mihalick Terrance Corrigan |

RECOMMENDATION

Approve proposed revisions to attached local policy, CDC (LOCAL).

COMPELLING REASON AND BACKGROUND

The Internal Audit section of policy CDC (LOCAL) requires revision to conform with the new Institute of Internal Auditors Global Internal Audit Standards (Standards), that became effective on January 9, 2025. The Standards are incorporated into the Internal Audit Department Charter that was approved by the Board on April 16, 2025.

STRATEGIC ALIGNMENT

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------|-------------|------------|
| CDC(LOCAL) | 7/25/2025 | Cover Memo |

This item is applicable to the following:

Central, Coleman, Northeast, Northwest, Southeast, Southwest, District

Houston Community College
101506

ACCOUNTING
AUDITS

CDC
(LOCAL)

| | |
|--|--|
| Board Audit Committee | The Board may form an audit committee to assist the Board in exercising its oversight responsibilities for fair presentation of the College District's annual financial statement audit and other audit engagements. |
| External Auditor | The external audit selection process will specify a scope of services consistent with the Board's policy on procurement and the Coordinating Board's requirements and related services for completing the Comprehensive Annual Financial Report (CAFR), Generally Accepted Auditing Standards (GAAS), and Generally Accepted Government Auditing Standards (GAGAS). |
| Selection Process | |
| Request for Qualifications | Prior to releasing the request for qualifications (RFQ) for advertisement for an external auditor, the audit committee will have an opportunity to review a draft of the RFQ document, and may provide input into the solicitation, including the evaluation factors to be used in preliminary scoring and the relative weight of such factors. |
| Evaluation Criteria | Evaluation criteria shall include the firm's: <ol style="list-style-type: none">1. Qualification and experience with higher education and demonstrated qualifications of its personnel and team;2. Proposed approach and methodology evidencing ability to plan and timeline to meet deadlines and quality control; and3. Past performance and references with similar project experience (size, complexity, and scope). |
| Statutory Requirements | The external auditor must be familiar with and follow the guidelines and standards of the following statutory requirements: <ol style="list-style-type: none">1. Annual financial reporting requirements for Texas public community and junior colleges in conformance with the Coordinating Board and Generally Accepted Accounting Principles (GAAP).2. Auditing requirements in accordance with GAAS established by the American Institute of Certified Public Accountants (AICPA) and the standards for financial audits of the U.S. Government Accountability Office's (GAO) GAGAS issued by the Comptroller General of the United States. |
| Evaluation Committee and Board Final Selection | The Board will be given the opportunity to designate up to three trustees to serve on the administration's preliminary evaluation committee (one from the audit committee and two non-audit committee members), along with non-trustee evaluators. There will be up to five evaluators in total with specific credentials and qualifications for conducting the evaluation. The preliminary evaluation |

DATE ISSUED: ~~6/20/2023~~
LDU 2023.04
CDC(LOCAL)-X

Adopted:
~~1/18/2023~~

1 of 6

Limitations,
Expectations, and
Duties

committee members will individually score all respondents in accordance with the published weighted RFQ criteria.

The preliminary scores will be used to rank all respondents. The scores and ranks will be presented to the Board, who will determine how many finalists from the preliminary rankings will proceed to final presentations. At the finalist phase, all preliminary scores fall away, and the Board will, by majority vote, select the most qualified firm [see Evaluation Criteria and Statutory Requirements, above].

The external auditor shall be an independent and objective party to provide advice to the Board. The external auditor shall be appointed by the Board, in consultation with the Chancellor, and shall report directly to the Board, with access to the Chancellor. The Board will periodically evaluate the performance of the external auditor and may dismiss or assign a new external auditor at any time with or without cause. All engagement letters with the external auditor shall be approved by the Board and signed by the Board Chairperson. The Board shall select an auditing firm for a designated period, not to exceed five years.

An auditing firm selected by the Board as external auditor is not eligible to submit a proposal immediately following any period during which it was engaged by the Board as external auditor. The selected external auditor may not serve simultaneously as the internal auditor.

The Board shall outline its expectations regarding the annual financial statement audit and performance audit, if requested, and as may be directed by the Board. The Board also may arrange for self-requested audits to perform specific audit services. The external auditor shall evaluate all financial operations of the College District and prepare reports to the Board. Among the duties of the external auditor are the following:

1. To perform audit activities necessary to ensure that College District resources are being properly managed and accounted for, that the College District has effective and adequate internal controls, and that internal operating controls are reliable.
2. To ensure that the College District is complying with approved policies and statutory requirements.
3. To develop an annual audit plan for the College District to present to the Chancellor and the audit committee of the Board for approval.
4. To perform all duties in accordance with the Standards for the Professional Practice of Internal Auditing, the Code of Ethics,

the Statements on Internal Auditing Standards, and the Statement of Responsibilities of Internal Auditing, each as established by the Institute of Internal Auditors.

5. To meet regularly with the Board to review audits performed, audits in progress, and future audits, as requested by the Board.

Annual Audit Report A comprehensive audit report of all funds and accounts of the College District shall be submitted annually to the Board. A copy of the independent audit shall become a part of the Board's official minutes and shall be available to the public for inspection during regular office hours.

The Board must approve an annual audit report for the fiscal year. This report shall be filed with the Coordinating Board prior to January 1 next following the close of the fiscal year for which the audit was made. Three copies of the audit shall be submitted to the Coordinating Board and required copies submitted to other governmental agencies.

Internal Audits

All College District accounts shall be subject to internal audit as deemed appropriate. The objective of internal accounting control is to provide reasonable assurance as to the safeguarding of assets against loss from unauthorized use or disposition and to evaluate the reliability of financial records for preparing financial statements and maintaining accountability for assets. Findings of such audits shall be reported to the Board.

The internal auditor shall provide advice to the Chancellor and the Board and shall work under the day-to-day supervision of the Chancellor. The internal auditor shall be selected by the Board from candidates approved and provided by the Chancellor. The Chancellor shall recommend three names to the Board as the finalists, each with a minimum of ten years of experience as a full-time auditor. The internal auditor shall be evaluated by the Chancellor after consultation with the audit committee and may only be dismissed by the Chancellor after obtaining approval of the Board.

The internal audit function receives its mandate from the Board. The mandate specifies the authority, role, and responsibilities of the internal audit function and is documented in the internal audit charter. The internal audit charter can be referred to on the internal audit webpage <https://www.hccs.edu/departments/internal-auditing/>

Duties of the internal auditor are to:

1. Develop a flexible risk-based annual internal audit plan with input from senior management and the Board as required by IIA

Commented [JL1]: This change is recommended by Administration and Board Counsel is in concurrence.

~~Standard 2010. A1 and submit the audit plan to the Audit Committee for review and the Board for approval.~~

~~2. Review and adjust the plan, as necessary, in response to changes in the organization's business, risks, operations, programs, systems, and controls with Audit Committee review and Board approval.~~

~~3. Meet regularly with the Board Audit Committee to provide updates by reviewing audits performed, audits in progress, future audits, and sufficiency of the department resources.~~

~~4. Conduct independent and constructive audits to review of effectiveness of controls, financial records, operations, or to review departmental records, the proper recording of transactions, and compliance with applicable rules, regulations, policies, and procedures, including evaluation for potential fraud and effectiveness of fraud controls.~~

~~5. Analyze data obtained for evidence of deficiencies in controls, integrity, duplication of effort, or lack of compliance with College District policies and procedures.~~

~~6. Conduct audits that examine the effectiveness of the governance, risk management, and internal control processes in promoting the achievement of strategic objectives concerning all reporting, operations, safeguarding of assets, and compliance.~~

~~7. Investigate allegations of fraud, waste, abuse, and other wrongdoing as appropriate and in accordance with Board policy, and coordinate such investigations as needed with Legal Counsel or the College District Police.~~

~~8. Evaluate the design, implementation, and effectiveness of College District ethics-related objectives, programs, and activities.~~

~~9. Assess whether information technology governance effectively supports College District strategies and objectives.~~

~~10. Offer advisory services, internal control or fraud training, Control Self-Assessment (CSA) services, and other audit technique workshops as warranted.~~

~~11. Coordinate audit efforts with those of external financial auditors and act as a liaison for other external auditors.~~

~~12. Coordinate efforts with other control monitoring functions within the College District (risk management, compliance, security, legal, ethics, safety and environment, police, human resources, and information technology).~~

**Investigation
Responsibilities**

~~13. Maintain professional audit staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of the Internal Audit Department Charter and ensure that personnel in the department have appropriate continuing education to foster advancement of technical knowledge and skills.~~

The internal audit department is responsible for the initial factual investigation of College District audit issues and shall promptly notify the General Counsel and the Chancellor within 24 hours of the initiation of the review. The Chancellor shall immediately notify the Chairperson of the Board. If any person who would otherwise be notified is a fact witness in the investigation, the person shall not be involved in the administrative oversight or reporting of the investigation. Once a factual investigation establishes fraud, or a violation of law, the General Counsel shall communicate it to the Chancellor, and the Chancellor, in turn, shall immediately communicate the findings to the Board. The Board will determine whether to initiate an external investigation.

Decisions to turn the matter over to law enforcement authorities and/or regulatory agencies for independent investigation, and all final decisions regarding the disposition of the case, shall be made by the Chancellor, in consultation with the Board.

Nonretaliation

Any employee or student who reports suspected fraudulent activity, in good faith, shall be protected against any retaliation for making such a report. The reporting member of the campus community shall refrain from confrontation with the suspect, further examination of the incident, or further discussion of the incident with anyone other than the employee's or student's supervisor or others involved in the resulting review or investigation. Persons found to be making frivolous claims under this policy will be disciplined, up to and including discharge of employment for an employee, or expulsion for a student.

Confidentiality

The director of internal audit may accept and initiate an investigation, on a confidential basis, from a College District employee or student who suspects dishonest or fraudulent activity. Results of investigations conducted by the internal audit department shall be disclosed to and discussed with only the Board, the Chancellor, and those persons associated with the College District who have a legitimate need to know based on the performance of their job duties and responsibilities.

Fraud

The College District prohibits fraud and financial impropriety in the actions of its Board members, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with the College District.

Houston Community College
101506

ACCOUNTING
AUDITS

CDC
(LOCAL)

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|-----------------------|--|
| Effective Date | This policy shall be effective as of the adoption date, January 18, 2023. |
|-----------------------|--|

DATE ISSUED: ~~6/20/2023~~
LDU ~~2023.04~~
CDC(LOCAL)-X

Adopted:
~~1/18/2023~~

ACTION ITEM

Meeting Date: August 6, 2025

Topics For Discussion and/or Action:

| ITEM # | ITEM TITLE | PRESENTER |
|--------|---|---|
| C. | Approve Rescission of Policy DGD (LOCAL) and DHBB (LOCAL) | Dr. Margaret Ford Fisher Dr. Nicole Montgomery Dr. Melissa Mihalick |

RECOMMENDATION

Rescind DGD (LOCAL) and DHBB (LOCAL) as recommended.

COMPELLING REASON AND BACKGROUND

DGD (LOCAL) - Employee Use of College District Facilities

The entirety of policy DGD (LOCAL) is already contained in DGC (LOCAL): Employee Expression and Use of College Facilities.

DHBB (LOCAL) - Workplace Violence

The current CHF (LOCAL), Site Management: Weapons, and DH (LOCAL) Employee Standards of Conduct, cover the provisions of policy DHBB (LOCAL) in accordance with Penal Code 46.03 requirements.

Accordingly, DGD (LOCAL) and DHBB (LOCAL) should be rescinded and no migration into the existing policies is necessary.

STRATEGIC ALIGNMENT

1. *Student Success, 5. College of Choice*

ATTACHMENTS:

| Description | Upload Date | Type |
|--------------------|-------------|-------------------|
| Background Summary | 7/25/2025 | Executive Summary |
| DGD(LOCAL) | 7/25/2025 | Attachment |
| DHBB(LOCAL) | 7/25/2025 | Attachment |

This item is applicable to the following: District

Overview of Rescission and Removal

- Rescission is the method used to formally remove outdated and inoperable policies from HCC's Board Policy Manual.
- When reviewing HCC's Board Policies for migration to an easier website format, it was discovered that DGD (Local) and DHBB (Local) did not comply with TASB codes.
- The DGD (Local) and DHBB (Local) content is contained in other TASB-compliant policies, and therefore, the two unnecessary policies should be rescinded. This allows for a complete migration of Legal summaries and Local policies.
- <https://www.hccs.edu/about-hcc/policies/hcc-board-policy-manual-section-d/>

DGD Policy

DGD (Local)

- EMPLOYEE RIGHTS AND PRIVILEGES – EMPLOYEES' USE OF COLLEGE DISTRICT FACILITIES
- The entirety of DGD is contained in DGC (LOCAL).

Recommendation

- DGD is an unnecessary policy and can be removed in its entirety.

DGD Evidence

| DGD (Local) Reads: | DGC (Local) Reads: |
|---|---|
| <p>p.1 of 2</p> <p>The grounds and facilities of the College District shall be made available to employees or employee organizations when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting employees or employee organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Chancellor.</p> | <p>p.3 of 5</p> <p>The facilities and grounds of the College District shall be made available to employees or employee organizations when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting employees or employee organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Chancellor.</p> |

Language is the same.

DHBB Policy

DHBB (Local)

- EMPLOYEE STANDARDS OF CONDUCT-WORKPLACE VIOLENCE
- Adopted before Penal Code 46.03 regarding concealed carry was passed, since it prohibits weapons but does not provide an exception for licensed concealed handgun carriers.
- The current CHF (Local) and DH (Local) complies with Penal Code 46.03.

Recommendation

- DHBB should be removed and no migration into the existing policies is necessary.

DHBB Evidence

| DHBB (Local) Reads: | DH & CHF (Local) Read: |
|--|--|
| <p>p.1 of 1 All employees are expected to review and understand all provisions of this Workplace Violence Policy to ensure a safe workplace and to reduce the risk of violence.</p> | <p>DH p.1 of 1</p> <ul style="list-style-type: none">• employees are expected to contribute to a respectful working and learning environment free from...violence.””• all employees shall perform duties in accordance with College District policies.” |
| <p>p.1 of 1 State law and the College District prohibit the possession, carrying, or use of prohibited weapons including firearms, illegal knives, and clubs on College District-owned or controlled properties.</p> | <p>CHF p. 2 of 6</p> <ul style="list-style-type: none">• The College District prohibits the use, possession, or display of a firearm on College District property or at a College District-sponsored or -related activity...:• prohibits the use, possession, or display of any location-restricted knives, clubs, knuckles, firearm silencers, or prohibited weapons...” |

EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE USE OF COLLEGE DISTRICT FACILITIES

DGD
(LOCAL)

The grounds and facilities of the College District shall be made available to employees or employee organizations when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting employees or employee organization shall pay all expenses incurred by their use of the facilities in accordance with a fee schedule developed by the Chancellor.

An "employee organization" is an organization composed only of College District faculty and staff or an employee professional organization.

REQUESTS

To request permission to meet on College District premises, interested employees or employee organizations shall file a written request in accordance with administrative procedures.

The employees or the employee organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules. Any employee or employee organization with outstanding obligations due to the College District beyond 30 days may face disciplinary action.

The Chancellor shall have the authority to approve or deny the serving of alcohol at any College District facility. All requests to serve alcohol must be included in the reservation packet and submitted for Chancellor approval. [See DH(LOCAL)]

APPROVAL

The operations officer shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, or other content of the speech likely to be associated with the employees' or employee organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that:

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes nonpermissible solicitation;
4. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;

EMPLOYEE RIGHTS AND PRIVILEGES
EMPLOYEE USE OF COLLEGE DISTRICT FACILITIES

DGD
(LOCAL)

5. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
6. The proposed activity would disrupt or disturb the regular academic program;
7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The operations officer shall provide the applicant a written statement of the grounds for rejection if a request is denied.

ANNOUNCEMENTS
AND PUBLICITY

In accordance with administrative procedures, all employees and employee organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.

IDENTIFICATION

Employees and employee organizations using College District facilities must provide identification when requested to do so by a College District representative.

VIOLATIONS

Failure to comply with the policy and procedures regarding employee use of College District facilities shall result in appropriate administrative action, including but not limited to, suspension of an employee's or employee organization's use of College District facilities, and/or other disciplinary action in accordance with the College District's policies and procedures and the employee handbook.

APPEALS

Decisions made by the administration under this policy may be appealed in accordance with DGBA(LOCAL).

EMPLOYEE STANDARDS OF CONDUCT
WORKPLACE VIOLENCE

DHBB
(LOCAL)

The Board strives to provide a safe workplace for all employees. All employees are expected to review and understand all provisions of this Workplace Violence Policy to ensure a safe workplace and to reduce the risk of violence.

State law and the College District prohibit the possession, carrying, or use of prohibited weapons including firearms, illegal knives, and clubs on College District-owned or controlled properties.

Violation of this policy is grounds for immediate termination.

ACTION ITEM

Meeting Date: August 6, 2025

Topics For Discussion and/or Action:

| ITEM # | ITEM TITLE | PRESENTER |
|--------|---|---|
| D. | Faculty Senate Establishment Under Senate Bill 37 and Approve BGC (LOCAL) | Dr. Margaret Ford Fisher Dr. Nicole Montgomery Dr. Melissa Mihalick Dr. Norma Perez Dr. Remmele Young |

RECOMMENDATION

Approve proposed revisions to policy BGC (LOCAL) - Administrative Organization Plan: Councils and Faculty Senates, as set forth in the attachment.

COMPELLING REASON AND BACKGROUND

Senate Bill 37 (SB 37) relates to the governance of public institutions of higher education, including review of curriculum and certain degree and certificate programs, the powers and duties of a faculty council or senate. SB 37 passed both chambers during the Texas 89th regular legislative session and was signed into law by Governor Greg Abbott. Its earliest effective date is September 1, 2025.

In relevant part, Texas public institutions of higher education, including Houston Community College (HCC) must establish a faculty senate in accordance with newly established statutory requirements, as deemed appropriate. These new requirements warrant HCC’s attention for action which include establishing a “new” faculty senate pursuant to the newly enacted law.

STRATEGIC ALIGNMENT

1. Student Success, 5. College of Choice

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------|-------------|------------|
| BGC(LOCAL) | 7/25/2025 | Attachment |

This item is applicable to the following: District

ADMINISTRATIVE ORGANIZATION PLAN
COUNCILS AND FACULTY SENATES

BGC
(LOCAL)

In order to provide the most effective operation of the College District, and to maintain open communication and decision-making opportunities, the Board recognizes the following encourages input from employee organizations as follows:

Commented [JL1]: All revisions and updates in this policy are made by the Administration. Board Counsel is in concurrence.

1. The faculty senate, the staff councils senate, the College Office Personnel Association (COPA), and other non-faculty employee groups shall have the right to gather for the purpose of discussing issues and concerns of particular importance to the individual groups.
2. The faculty senate and other recognized employee organizations shall have a written constitution constitutions and an elected or appointed leader or leaders who will facilitate the work of the component group and serve as the communications link with the administration.
3. Governance of the faculty senate represents shall comply with legal requirements and Board policy.
4. The recognized employee interests, this organization shall or organizations are advisory in nature and do not have a representative on the Chancellor's executive team final decision-making authority in College District matters.
5. The Chancellor shall ensure that various non-faculty employee groups are appropriately represented on advisory committees.

Faculty Senate

The faculty senate represents the entire faculty and its interests. The faculty senate president, as appointed by the Chancellor, shall serve on the Chancellor's executive team in a solely advisory capacity regarding matters related to the general welfare of the College District. The faculty senate is prohibited from issuing any statement or publishing any report using the College District's resources, trademark or official seal unless directly related to the faculty senate's duty to advise the administration.

Eligibility, Selection,
and Term

The faculty senate shall consist of a total of sixty representatives. Fifty-five faculty members will be selected based on proportionate representation by Instructional Division as organized by College. Five additional members shall be selected, to include three librarians, a president, and a past-president. For purposes of this policy, a "faculty member" means a person who is employed by an institution of higher education on a full-time basis as a member of the faculty or staff and whose duties include teaching, research, administration, including professional librarians, or the performance of professional services.

To ensure adequate representation, faculty senate members shall be selected as follows:

Each College shall be represented by at least two members, one appointed by the Chancellor and the remaining members elected by a vote of the faculty of the member's respective Instructional Division. Each Instructional Division shall be provided at least one elected seat to ensure adequate representation of all faculty. If any College lacks adequate representation following an election, the Chancellor shall appoint members in a manner that ensures adequate representation.

The Instructional Divisions and Colleges are:

Central College

1. Architectural Design & Construction
2. Consumer Arts & Sciences

Coleman College

3. Health Sciences

College Readiness

4. Adult Education
5. College Readiness

Online College

6. English & Communications
7. Liberal Arts, Humanities, & Education
8. Life & Physical Sciences
9. Mathematics
10. Social & Behavioral Sciences

Northeast College

11. Global Energy
12. Public Safety
13. Transportation

Northwest College

14. Engineering
15. Media, Visual & Performing Arts

| | |
|--------------|--|
| | <p>Southeast College</p> <p>16. Business & Logistics 17. Material Science and Smart Manufacturing</p> <p>Southwest College</p> <p>18. Digital & Information Technologies</p> <p>Elected faculty senate members shall serve for a two-year term and may be re-elected only after two years have passed since the expiration of the preceding term. Appointed faculty members may serve up to six consecutive one-year terms and may be reappointed after two years have passed since the expiration of the preceding term. Terms shall be staggered in such a manner that half expire each year.</p> <p>In the event of a vacancy in an appointed seat, the Chancellor may appoint a member to serve for the unexpired term. In the event of a vacancy in an elected seat, the Faculty Senate may fill the unexpired term according to the terms of the Faculty Senate constitution and Bylaws.</p> <p>Only actively employed faculty are eligible for election or appointment and service on the faculty senate.</p> |
| Officers | <p>The Chancellor shall appoint the president, president-elect, and secretary from among the senate members. The president and past president may be appointed for a one-year term immediately following their service as president-elect and president, respectively. The president is responsible for representing the faculty senate in official communications with the College District.</p> |
| Remuneration | <p>Service on the faculty senate is a non-compensable additional duty of employment. Expenses incurred on behalf of the College District may be reimbursed as approved by the College District. Expenses incurred on behalf of the faculty senate are not reimbursable.</p> |
| Removal | <p>Upon recommendation by the Chief Academic Officer, the Chancellor may immediately remove a faculty senate member for failure to attend meetings, failure to exercise responsibilities in accordance with defined legal and policy parameters, and other similar misconduct.</p> |

Houston Community College
101506

ADMINISTRATIVE ORGANIZATION [PLAN](#)
COUNCILS AND FACULTY SENATES

BGC
(LOCAL)

[Meeting
Requirements](#)

Meetings of the faculty senate must be open to the public. If more than fifty percent of members are present, the meetings must be broadcast live over the Internet. An agenda and any curriculum proposals to be discussed or voted on must be made public on the College District's website at least seven days before a meeting. Meeting minutes must reflect the names of the members in attendance if, during the course of the meeting, a vote of no confidence regarding an administrator or business related to curriculum and academic standards takes place.

DATE ISSUED: ~~11/3/2016~~
LDU ~~2016.01~~
BGC(LOCAL)-X

ADOPTED:

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