



This Open Meeting of the Board of Trustees is authorized in accordance with the Texas Government Code, §§551.001 through 551.146. Verification of Notice of Meeting and Agenda are on file in the Office of Board Relations. Per Texas Government Code §551.1282, this meeting is being broadcast over the Internet in the manner prescribed by Texas Government Code, §551.128. In accordance with Texas Government Code §551.127 one or more members of the Board of Trustees may participate in the meeting via videoconference in accordance with the provisions thereof.

NOTICE OF A SPECIAL MEETING OF THE BOARD OF TRUSTEES FOR DALLAS COLLEGE AND RICHLAND COLLEGIATE HIGH SCHOOL

Tuesday, June 28, 2022 | 4:00 PM

Administrative Office

1601 Botham Jean Blvd., Room #007

Dallas, Texas 75215

www.dallascollege.edu/boardmeetingslive

Persons who address the Board are reminded that the Board may not take formal action on matters that are not part of the meeting agenda and may not discuss or deliberate on any topic that is not specifically named in the agenda. For any non-agenda topic introduced during this meeting, there are three (3) permissible responses: 1) to provide a factual answer to a question; 2) to cite specific Board Policy relevant to a topic; or 3) the topic may, at a later date, be placed on a Board Agenda for a subsequent meeting.

Speakers shall direct their presentations to the Board Chair, or the Board, as a whole.

Special Meeting Agenda

- 1. Roll Call - Announcement of a Quorum**
- 2. Certification of Notice Posted for the Meeting**


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3. Pledges of Allegiance to U.S. and Texas Flags


4. Citizens Desiring to Address the Board

5. Opportunity for Members of the Board and Chancellor to Declare Conflicts of Interest Specific to this Agenda



6. Policy Item

- 6.1. Approval of Amendment to Policies Concerning Technology Resources - CR (LOCAL) 4 - 6
[6.1\) Approval of Amendment to Policies Concerning Technology Resources - CR \(LOCAL\)](#) 

7. Finance Item

- 7.1. Consideration and Action on Proposed Separation Incentive Plan for Eligible Faculty and Authorizing the Chancellor or Designee to Negotiate and Execute Plan Documents Regarding Same 7 - 9
[7.1\) Consideration & Action Proposed on SIP for Eligible Faculty & Authorizing Chancellor or Designee to Negotiate & Execute Plan Documents](#) 

8. Policy Items - First Reading

- 8.1. Approval of Amendment to Policies Concerning Federal Revenue Sources – CAAB (LOCAL) 10 - 18
[8.1\) Approval of Amendment to Policies Concerning Federal Revenue Sources – CAAB \(LOCAL\)](#) 
- 8.2. Approval of Amendment to Policies Concerning Employment Practices – DC (LOCAL) 19 - 27
[8.2\) Approval of Amendment to Policies Concerning Employment Practices – DC \(LOCAL\)](#) 

9. Executive Session (if required)

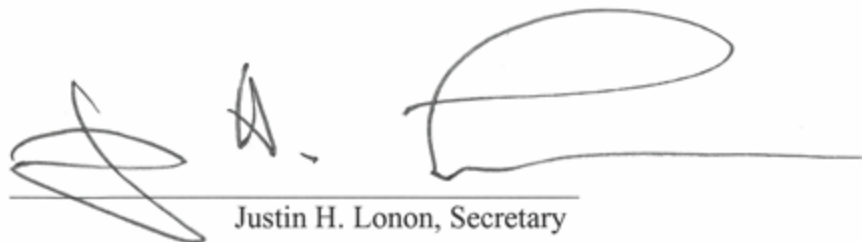
- 9.1. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers - Section 551.071

- 9.2. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignments, Duties, Discipline, or Dismissal of Officers or Employees - Section 551.074
- 9.3. Deliberate Regarding Real Property Since Open Deliberation would have a Detrimental Effect Upon Negotiations with a Third Person - Section 551.072
- 9.4. Deliberate Regarding Security Devices or Security Audits- Sections 551.076 and 551.089

10. Adjournment

CERTIFICATION OF NOTICE POSTED FOR THE JUNE 28, 2022 SPECIAL MEETING OF DALLAS COLLEGE AND RICHLAND COLLEGIATE HIGH SCHOOL BOARD OF TRUSTEES

I, Justin H. Lonon, Secretary of the Board of Trustees of Dallas College, do certify that a copy of the notice for this meeting was posted on the 24th day of June 2022 in compliance with the applicable provisions of the Texas Open Meetings Act.



Justin H. Lonon, Secretary

POLICY ITEM NO. 6.1.

Approval of Amendment to Policies Concerning Technology Resources – CR (LOCAL)

Due to the convenience, speed, cost-effectiveness, and environmental advantages of email, the College considers email an official means of communicating the business and instructional activities of the College. However, in recent years the College and other organizations across the globe have observed increased attacks on email security. To ensure the integrity and confidentiality of the College's data, as well as the personal and professional reputation of the College and the College community Chancellor recommends the Board amend CR (LOCAL) as follows, for implementation by Fall 2022.

EFFECTIVE DATE

Upon Board Approval

LOCAL POLICY EXPLANATORY NOTES

CR – Technology Resources Revisions to this policy would add new provisions relating to the use of the College's electronic mail (email) system.

Electronic Mail System: New provisions relating to use of the College's email system recognize email as an official means of communication for the College and require all email sent in the performance of College business or from College personnel to be sent to a College employee or student's official College email address, as assigned by the College. In addition, the proposed revisions would require College employees to use their College email address when conducting College business; students and employees would be responsible for any content sent to their official College email address.

TECHNOLOGY RESOURCES

CR
(LOCAL)

Existing Policy

Deleted Policy

New Policy

GC Edits

Electronic Mail System

The College District recognizes electronic mail ("email") as an official means of communication and information delivery. All students, upon initial matriculation to the College District, and employees, upon initial hire, shall be assigned an official College District email address.

College District Email

All email sent in the performance of College District business from the College District or from personnel of the College District, including but not limited to College District employees, contractors, consultants, temporary employees or other workers, including without limitation, independent school district (ISD) employees, or vendors of the College District, to whom College District log-in credentials that provide access to College District Computing Resources and Facilities, or access to confidential or proprietary information related to the College District or its students, including but not limited to student educational records, have been granted ("College District Personnel"), shall be sent to a College District employee or student's official College District email address.

Employees

College District employees, including student employees, must use their official College District email account when conducting College District business through email, including but not limited to, communications with College District Personnel and students regarding College District business. No College District employee may transmit any College District business communication, or otherwise conduct College District business, though the use of a private email account (e.g., @gmail, @yahoo, etc.).

Students

All College District students are encouraged to use official College District email address, as assigned, when communicating through email with the College District, including but not limited to communications with College District Personnel. While students have the technical ability to electronically redirect their College District email to a private email account, such redirection is at the student's risk. The College District is not responsible for the handling of email by outside vendors that are not College District contractors. Students who elect to redirect their College District email, or who choose not to use their College District email address, remain responsible for the content of any information sent to their official College District email address.

Expectations

All students and employees are expected to check email on a frequent and regular basis and are responsible for all information sent to them via their official College District email address. Failure to receive or read in a timely manner College District communications

TECHNOLOGY RESOURCES

CR
(LOCAL)

■ Existing Policy

■ Deleted Policy

■ New Policy

■ GC Edits

sent to an employee or student's official College District email address will not absolve an individual from knowing and complying with the content of the communication.

FINANCIAL ITEM NO. 7.1.

Consideration and Action on Proposed Separation Incentive Plan for Eligible Faculty and Authorizing the Chancellor or Designee to Negotiate and Execute Plan Documents Regarding Same

The Chancellor recommends that the Board of Trustees authorize the Chancellor or designee to negotiate and execute the plan documents with Public Agency Retirement Services (PARS) and offer enrollment in a Separation Incentive Plan (SIP) to eligible faculty.

Faculty at Dallas College have requested that the College explore the possibility of providing a separation incentive to eligible faculty members because faculty members, as an employee group, were not among the roles impacted by the recent consolidation from seven separately-accredited colleges to a singly-accredited institution and, as a result, faculty were not included within the group of employees eligible to participate in the severance plan adopted for employees impacted by the consolidation.

Background

- The College will partner with PARS to implement the plan. PARS specializes in governmental separation plan consulting and administration.
- Faculty who take advantage of this plan do not have to retire and can choose to work for another organization, including those with TRS; however, they will be ineligible to work for the College for the first five years after separation.
- The plan will be available to approximately 374 full-time faculty with 15 or more continuous years of service with the College as of August 31, 2022.
- Participants receive a payout equal to 75% of their base salary, up to a maximum of \$100,000.
- Participants can choose a monthly payout over 5-15 years, lifetime, joint and survivor, or lifetime with a 10-year guarantee.

Resource Contact

John Robertson, Chief Financial Officer

RESOLUTION AUTHORIZING THE ADOPTION OF A QUALIFYING SEPARATION INCENTIVE PLAN FOR ELIGIBLE FACULTY

WHEREAS, the Board of Trustees (the “Board”) of Dallas College (the “College”) has determined it to be in the best fiscal interest of the College and its faculty to provide a separation incentive to eligible faculty employees who wish to voluntarily exercise their option to separate from College service;

WHEREAS, faculty at the College have requested the adoption of a separation incentive for faculty as faculty were not eligible to participate in the recent College consolidation and the provision of severance to eligible employees in connection therewith;

WHEREAS, there is no cash option available to faculty employees in lieu of this incentive offer;

WHEREAS, Public Agency Retirement Services (PARS) has made available to the College a separation incentive plan qualifying under the relevant sections of Section 403(b) of the Internal Revenue Code;

WHEREAS, the College, pursuant to applicable policy desires to adopt the separation incentive plan and to fund the incentive through nonelective employer contributions to the plan’s designated 403(b) provider.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees of the Dallas College hereby adopts the PARS Separation Incentive Plan, effective June 28, 2022; and
2. The Separation Incentive Plan must meet the College’s fiscal and operational objectives in order for the plan to go into effect. If these goals are not reached, the College may withdraw the Separation Incentive. If the College withdraws the Separation Incentive, resignations may be rescinded; and
3. The Board of Trustees hereby appoints the College’s Chief Financial Officer, or his successor or his designee as the College’s Plan Administrator; and
4. The College’s PARS Plan Administrator is hereby authorized to execute the contracts, custodial agreement facilitating the payment of contributions to the 403(b) arrangement, and other legal documents related to a trust or the plan on behalf of the College and to take whatever additional actions are necessary to maintain the College’s participation in the plan and to maintain compliance of any relevant regulations issued.

**APPROVED AND ADOPTED ON THIS THE 28TH DAY OF JUNE 2022, BY
THE BOARD OF TRUSTEES OF DALLAS COLLEGE**

Monica Lira Bravo, Chair
Board of Trustees of Dallas College

**STATE OF TEXAS
COUNTY OF DALLAS**

Justin Lonon, the Secretary of the Board of Trustees of the Dallas College certifies that the above foregoing resolution was duly and regularly adopted by Dallas College at a regular meeting thereof held on the June 28, 2022 and passed by a _____ vote of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this
_____, 2022.

Justin Lonon, Secretary
Board of Trustees of Dallas College

POLICY ITEM – FIRST READING NO. 8.1.

Approval of Amendment to Policies Concerning Federal Revenue Sources –
CAAB (LOCAL)

Since 2015, the College has granted eligible veterans a preference in employment, in accordance with the requirements of the Texas Military Veterans’ Full Employment Act. To ensure correct application of the preference and make clear the effect of the preference on the hiring process, the Chancellor recommends the Board approve the following amendments to local policy DC (LOCAL).

The employment preference extended to eligible veterans under DC (LOCAL) is distinct from the priority of service for veterans and eligible spouses provided by the revisions to CAAB (LOCAL). The U.S. Department of Labor (USDOL) requires recipients of USDOL funds for qualified job training programs, including those offered by the College, to provide a priority of service to veterans and eligible spouses in the receipt of employment, training, and placement services provided under such programs. Application of the priority is specific to services provided by a qualified program funded in whole or in part by USDOL funds received by the College or a subrecipient of the College. To ensure compliance with USDOL funding requirements, the Chancellor recommends the Board approve the following amendments to local policy CAAB (LOCAL).

This explanatory statement serves for both DC (LOCAL) and CAAB (LOCAL).

Effective Date
Upon Board Approval

<u>LOCAL POLICY</u>	<u>EXPLANATORY NOTES</u>
DC – Employment Preference for Veterans	Revisions to this policy would add definitions of eligible “veterans” and clarify how the application of the preference impacts aspects of the College’s hiring process, including selection for interview and employment decisions.
CAAB – Priority of Service for Veterans and Eligible Spouses	Revisions to policy would provide a priority of service to veterans and eligible spouses of veterans in the receipt of employment, training, and placement in qualified job training programs. In addition, revisions to policy would: <u>Definitions:</u> Add definitions of persons eligible to receive the priority: veterans and eligible Provide the spouses.

Application: Described the effect of application of the priority, i.e., eligible persons would receive a priority of service over any other ineligible person in the receipt of employment, training, and placement services in a qualifying program such that they would receive access before or instead of an ineligible person. Makes clear that in addition to qualifying as an eligible person, the veteran or eligible spouse would also have to meet all other qualifications of the program.

Identifying Eligible Persons: Provide the process for making eligible persons aware of the priority and identifying persons who are eligible for the priority.

Verifying Eligibility: Provide the documents on which the College would rely to verify eligibility.

Responsible Parties: Assign responsibility for ensuring compliance with the policy to Workforce Advancement and Development.

EMPLOYMENT PRACTICES

■ Existing Policy

■ Deleted Policy

■ New Policy

■ GC Edits

Applications

All applicants shall complete the application form supplied by the College District. Information in applications for all positions shall be verified before a position is offered.

Any falsification of either information or credentials shall be cause for dismissal or denial to employ.

Employment Practices

The College District shall follow prudent personnel practices in the recruiting, interviewing, screening, and employing of all personnel.

Employment Preference for Veterans

In appreciation and recognition of their service to this state and this country, the College District is committed to hiring and retaining veterans who want to continue their service to the nation by serving the College District community. Through the employment preference for eligible veterans, the College District helps support qualifying individuals who wish to return to work after duty.

The "Employment Preference for Veterans" is distinct form the "Priority of Service for Veterans and Eligible Spouses," provided in CAAB (LOCAL)

For purposes of this policy, an eligible veteran shall include:

- 1) ~~"veteran"~~ A "veteran", including a veteran with a disability;
- 2) An eligible veteran's surviving spouse who has not remarried; and
- 4) An orphan of an eligible veteran if the veteran was killed while on active duty. and "veteran with a disability" shall have the meanings assigned to those terms by Texas Government Code 2308.251 and 657.001.

3)

The following term(s) shall have the meaning ascribed below: An "eligible veteran" shall mean the following: a veteran, including a veteran with a disability; a veteran's surviving spouse who has not remarried; and an orphan of a veteran if the veteran was killed while on active duty.

- 1) A "Veteran" is a person who served at least one day ("Active Service") in the army, navy, air force, coast guard, or

EMPLOYMENT PRACTICES

■ Existing Policy ■ Deleted Policy ■ New Policy ■ GC Edits

Application of the Preference

marine corps of the United States or the United States Public Health Service, the Texas military forces, as that termed is defined under State law, or an auxiliary service of one of those branches of the armed forces (collectively, the “Armed Forces”), and who was discharged or released therefrom under conditions other than dishonorable.

- 2) A “Veteran with a Disability” is a veteran who is classified as disabled by the United States Department of Veteran Affairs or its successor or the branch of the service in which the veteran served and whose disability is service connected.
- 3) Active service does not include full-time duty performed strictly for training purposes.

The Chancellor shall promulgate regulations and procedures as may be necessary to implement the employment preference for veterans as set forth by this policy.

The College District shall grant to all applicants who are “eligible veterans” a preference in employment or appointment with the College District over other non-veteran applicants for the same position and who do not have greater qualifications.

Application of the veteran’s preference is not a guarantee of an interview or employment with the College District. To be eligible for an interview, an eligible veteran applicant must meet the minimum qualifications for the position, including but not limited to any training, education, or experience requirements. For an eligible veteran to be hired, the applicant must be the best qualified applicant for the position as determined by the hiring process.

This preference shall apply to ~~initial~~ employment or appointment with the College District only and shall not extend to other ~~employment events~~ changes in employment status, including ~~subsequent hiring~~, promotion, reassignment, reinstatement or transfer. In the event of a reduction in workforce by the College District, the veteran employment preference shall apply to the extent the reduction involves other employees of a similar type or classification.

A veteran’s employment preference shall be given in the following order of priority:

1. A veteran with a disability.
2. A veteran.
3. A veteran’s surviving spouse who has not remarried.
4. An orphan of a veteran killed while on active duty.

EMPLOYMENT PRACTICES

■ Existing Policy ■ Deleted Policy ■ New Policy ■ GC Edits

	<p>The veteran's employment preference applies only to open positions posted by the College District on or after June 1, 2016.</p>
Competitive Examination	<p>If a position with the College District requires, as a component of the employee candidate selection, a competitive examination (test) under a merit system, the College District shall award a veteran entitled to the veteran employment preference, who has received at least the minimum test score, a service credit of ten points added to the test score.</p> <p>A veteran with a disability shall receive a service credit of five additional points added to the test score.</p>
Claim of Eligibility	<p>In order to claim the employment preference for veterans, eligible veterans must meet the qualifications for the position, including but not limited to, the training, <u>education</u> and experience requirements assigned to the position. Status as an eligible veteran shall not guarantee employment with the College District.</p> <p>An individual entitled to a veteran's employment preference shall not be disqualified as a candidate for a position with the College District due to age or an established service-connected disability if the individual is otherwise qualified to perform the duties of the position.</p> <p>All persons eligible to receive the employment preference for veterans must submit to the designated College District representative the necessary documentation to support a claim of eligibility.</p>
Complaint Procedures	<p>An individual who is entitled to a veteran's employment preference and who wishes to appeal a decision by the College District related to hiring or appointing the individual, or retaining the individual if there is a reduction in the workforce, may do so by filing a written complaint with the <u>Chief Human Resources Officer (CHRO)</u> CEO of the location or his or her designated representative within <u>five (5)</u> days of receiving notice of the decision. The location CEO <u>CHRO or the designated representative</u> shall determine whether the employment preference for veterans was correctly applied and respond to the complaint no later than the 15th day after the date he or she receives <u>they receive</u> the complaint. The decision of the location CEO or his or her designated representative <u>CHRO</u> is final.</p>
Liaison	<p>The Chancellor shall designate a veterans' liaison who shall function as a liaison between veterans employed by the College District and the College District administration.</p>
Applications	<p>All applicants shall complete the application form supplied by the College District. Information in applications for all positions shall be verified before a position is offered.</p>

EMPLOYMENT PRACTICES

DC
(LOCAL)

■ Existing Policy ■ Deleted Policy ■ New Policy ■ GC Edits

**Employment
Practices**

~~Any falsification of either information or credentials shall be cause for dismissal or denial to employ.~~

~~The College District shall follow prudent personnel practices in the recruiting, interviewing, screening, and employing of all personnel.~~

STATE AND FEDERAL REVENUE SOURCES
FEDERAL

CAAB
(LOCAL)

■ Existing Policy

■ Deleted Policy

■ New Policy

■ GC Edits

Department of Labor
Grant Funds –

Priority of Service
for Veterans and
Eligible Spouses

As a condition of funds received by the College District from the U.S. Department of Labor (USDOL) to provide qualified job training programs (“Qualifying Program”), the College District shall provide, and ensure that any subrecipients of USDOL funds provide, a priority of service to veterans and eligible spouses in the receipt of employment, training, and placement services provided under a Qualifying Program, as determined by the Qualifying Program’s mandatory eligibility criteria, if any. The Chancellor shall promulgate regulations for implementation of this policy.

“Priority of Service” is distinct from the “Employment Preference for Veterans” provided in DC (LOCAL).

Definitions

The following terms shall have the meanings ascribed below:

- 1) A “Veteran” is a person who served at least one day (“Active Service”) in the active military, naval, or air service (collectively, the “Armed Forces”), and who was discharged or released therefrom under conditions other than dishonorable, as specified in 38 U.S.C. 101(2).
- 2) “Active Service” Includes full-time Federal service in the National Guard or a Reserve component. Active Service does not include full-time duty performed strictly for training purposes nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal authorities.
- 3) An “Eligible Spouse” is an eligible veteran’s spouse, including the:
 - a. Spouse of a member of the Armed Forces serving on active duty who at the time of application for priority, is listed in one or more of the following categories for a total of more than 90 days:
 - i. missing in action;
 - ii. captured in the line of duty by a hostile force;
 - or
 - iii. forcibly detained or interned in the line of duty by a foreign government of power.
 - b. Spouse of a veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or the
 - c. Surviving spouse of a deceased eligible veteran who died of a service-connected disability or died while a service-connected disability as qualified by Veterans Affairs was in existence. A spouse whose

STATE AND FEDERAL REVENUE SOURCES
FEDERAL

CAAB
(LOCAL)

■ Existing Policy ■ Deleted Policy ■ New Policy ■ GC Edits

<p><u>Application of Priority of Service</u></p>	<p><u>eligibility is derived from a living veteran loses their eligibility if the veteran loses the status that is the basis for the veteran's eligibility or upon the spouse's divorce from the veteran.</u></p> <p>4) <u>A "Qualifying Program" includes any program or service for workforce preparation, development or delivery that is funded, in whole or in part, by U.S. Department of Labor funds received by the College District or a subrecipient of the College District.</u></p> <p><u>Veterans and Eligible Spouses (collectively, "Eligible Persons") are entitled to a priority of service over any other ineligible person in the receipt of employment, training and placement services in a Qualifying Program such that they will receive access to a Qualifying Program service earlier in time, or if a resource or access to a resource is limited, Eligible Persons will receive the service instead of or before an ineligible person. Eligible Persons must meet all eligibility and program requirements for participation in the Qualifying Program in order to receive priority.</u></p> <p><u>To the extent a Qualifying Program includes classroom training, priority of service shall apply to the selection procedure such that if there is a waitlist for the formation of a training class, application of the priority of service would require Eligible Persons to advance on the waitlist ahead of any ineligible person. Priority of service shall not be used to remove or "bump" an ineligible person from a Qualifying Program.</u></p> <p><u>Application of priority of service may vary by Qualifying Program, depending on the eligibility requirements of the Qualifying Program.</u></p>
<p><u>Identifying Veterans and Eligible Persons</u></p>	<p><u>Eligible Persons shall be identified at the point of entry into the Qualifying Program, as determined in accordance with any procedures promulgated hereunder, to ensure that priority of service is applied over the full range of services available in the Qualifying Program, including, but not limited to, registration, training and placement. Eligible Persons shall be required to self-identify upon application to or enrollment in a Qualifying Program.</u></p> <p><u>In addition, the College District shall develop and implement procedures to ensure that Eligible Persons are aware of the following:</u></p> <ol style="list-style-type: none"><u>1) Their entitlement to priority of service;</u><u>2) The full array of employment, training, and placement services available in the Qualifying Program, as applicable;</u> <p><u>and</u></p>

STATE AND FEDERAL REVENUE SOURCES
FEDERAL

CAAB
(LOCAL)

■ Existing Policy

■ Deleted Policy

■ New Policy

■ GC Edits

Verifying Eligibility

3) Applicable eligibility requirements for the programs and services of the Qualifying Program.

The College District shall verify the status of Eligible Persons at the point of entry into the Qualifying Program. One or more of the following documents may be relied on to verify status:

- 1) A DD 214 (issued following separation from active duty);
- 2) An official notice issued by the Department of Veterans Affairs that establishes entitlement to a disability rating or award of compensation to a qualified dependent;
- 3) An official notice issued by the Department of Defense that documents the eligibility of an individual, based on missing or detained status of that individual's active-duty spouse; or
- 4) An official notice issued by a State veterans' service agency that documents veteran status or spousal rights, provided that the State veterans' service agency requires Federal documentation of that information.

Responsible Parties

College District employees responsible for Workforce Advancement and Development shall be responsible for ensuring compliance with this policy.

POLICY ITEM – FIRST READING NO. 8.2.

Approval of Amendment to Policies Concerning Employment Practices – DC (LOCAL)

Since 2015, the College has granted eligible veterans a preference in employment, in accordance with the requirements of the Texas Military Veterans’ Full Employment Act. To ensure correct application of the preference and make clear the effect of the preference on the hiring process, the Chancellor recommends the Board approve the following amendments to local policy DC (LOCAL).

The employment preference extended to eligible veterans under DC (LOCAL) is distinct from the priority of service for veterans and eligible spouses provided by the revisions to CAAB (LOCAL). The U.S. Department of Labor (USDOL) requires recipients of USDOL funds for qualified job training programs, including those offered by the College, to provide a priority of service to veterans and eligible spouses in the receipt of employment, training, and placement services provided under such programs. Application of the priority is specific to services provided by a qualified program funded in whole or in part by USDOL funds received by the College or a subrecipient of the College. To ensure compliance with USDOL funding requirements, the Chancellor recommends the Board approve the following amendments to local policy CAAB (LOCAL).

This explanatory statement serves for both DC (LOCAL) and CAAB (LOCAL).

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CAAB – Priority of Service for Veterans and Eligible Spouses	Revisions to policy would provide a priority of service to veterans and eligible spouses of veterans in the receipt of employment, training, and placement in qualified job training programs. In addition, revisions to policy would: <u>Definitions:</u> Add definitions of persons eligible to receive the priority: veterans and eligible Provide the spouses.

Application: Described the effect of application of the priority, i.e., eligible persons would receive a priority of service over any other ineligible person in the receipt of employment, training, and placement services in a qualifying program such that they would receive access before or instead of an ineligible person. Makes clear that in addition to qualifying as an eligible person, the veteran or eligible spouse would also have to meet all other qualifications of the program.

Identifying Eligible Persons: Provide the process for making eligible persons aware of the priority and identifying persons who are eligible for the priority.

Verifying Eligibility: Provide the documents on which the College would rely to verify eligibility.

Responsible Parties: Assign responsibility for ensuring compliance with the policy to Workforce Advancement and Development.

EMPLOYMENT PRACTICES

■ Existing Policy

■ Deleted Policy

■ New Policy

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Any falsification of either information or credentials shall be cause for dismissal or denial to employ.

Employment Practices

The College District shall follow prudent personnel practices in the recruiting, interviewing, screening, and employing of all personnel.

Employment Preference for Veterans

In appreciation and recognition of their service to this state and this country, the College District is committed to hiring and retaining veterans who want to continue their service to the nation by serving the College District community. Through the employment preference for eligible veterans, the College District helps support qualifying individuals who wish to return to work after duty.

The "Employment Preference for Veterans" is distinct form the "Priority of Service for Veterans and Eligible Spouses," provided in CAAB (LOCAL)

For purposes of this policy, an eligible veteran shall include:

- 1) ~~"veteran"~~ A "veteran", including a veteran with a disability;
- 2) An eligible veteran's surviving spouse who has not remarried; and
- 4) An orphan of an eligible veteran if the veteran was killed while on active duty. and "veteran with a disability" shall have the meanings assigned to those terms by Texas Government Code 2308.251 and 657.001.

3)

The following term(s) shall have the meaning ascribed below: An "eligible veteran" shall mean the following: a veteran, including a veteran with a disability; a veteran's surviving spouse who has not remarried; and an orphan of a veteran if the veteran was killed while on active duty.

- 1) A "Veteran" is a person who served at least one day ("Active Service") in the army, navy, air force, coast guard, or

EMPLOYMENT PRACTICES

■ Existing Policy ■ Deleted Policy ■ New Policy ■ GC Edits

Application of the Preference

marine corps of the United States or the United States Public Health Service, the Texas military forces, as that term is defined under State law, or an auxiliary service of one of those branches of the armed forces (collectively, the "Armed Forces"), and who was discharged or released therefrom under conditions other than dishonorable.

- 2) A "Veteran with a Disability" is a veteran who is classified as disabled by the United States Department of Veteran Affairs or its successor or the branch of the service in which the veteran served and whose disability is service connected.
- 3) Active service does not include full-time duty performed strictly for training purposes.

The Chancellor shall promulgate regulations and procedures as may be necessary to implement the employment preference for veterans as set forth by this policy.

The College District shall grant to all applicants who are "eligible veterans" a preference in employment or appointment with the College District over other non-veteran applicants for the same position and who do not have greater qualifications.

Application of the veteran's preference is not a guarantee of an interview or employment with the College District. To be eligible for an interview, an eligible veteran applicant must meet the minimum qualifications for the position, including but not limited to any training, education, or experience requirements. For an eligible veteran to be hired, the applicant must be the best qualified applicant for the position as determined by the hiring process.

This preference shall apply to ~~initial~~ employment or appointment with the College District only and shall not extend to other ~~employment events~~ changes in employment status, including ~~subsequent hiring~~, promotion, reassignment, reinstatement or transfer. In the event of a reduction in workforce by the College District, the veteran employment preference shall apply to the extent the reduction involves other employees of a similar type or classification.

A veteran's employment preference shall be given in the following order of priority:

1. A veteran with a disability.
2. A veteran.
3. A veteran's surviving spouse who has not remarried.
4. An orphan of a veteran killed while on active duty.

EMPLOYMENT PRACTICES

■ Existing Policy ■ Deleted Policy ■ New Policy ■ GC Edits

	<p>The veteran's employment preference applies only to open positions posted by the College District on or after June 1, 2016.</p>
Competitive Examination	<p>If a position with the College District requires, as a component of the employee candidate selection, a competitive examination (test) under a merit system, the College District shall award a veteran entitled to the veteran employment preference, who has received at least the minimum test score, a service credit of ten points added to the test score.</p> <p>A veteran with a disability shall receive a service credit of five additional points added to the test score.</p>
Claim of Eligibility	<p>In order to claim the employment preference for veterans, eligible veterans must meet the qualifications for the position, including but not limited to, the training, <u>education</u> and experience requirements assigned to the position. Status as an eligible veteran shall not guarantee employment with the College District.</p> <p>An individual entitled to a veteran's employment preference shall not be disqualified as a candidate for a position with the College District due to age or an established service-connected disability if the individual is otherwise qualified to perform the duties of the position.</p> <p>All persons eligible to receive the employment preference for veterans must submit to the designated College District representative the necessary documentation to support a claim of eligibility.</p>
Complaint Procedures	<p>An individual who is entitled to a veteran's employment preference and who wishes to appeal a decision by the College District related to hiring or appointing the individual, or retaining the individual if there is a reduction in the workforce, may do so by filing a written complaint with the <u>Chief Human Resources Officer (CHRO)</u> CEO of the location or his or her designated representative within <u>five (5)</u> days of receiving notice of the decision. The location CEO <u>CHRO or the designated representative</u> shall determine whether the employment preference for veterans was correctly applied and respond to the complaint no later than the 15th day after the date he or she receives <u>they receive</u> the complaint. The decision of the location CEO or his or her designated representative <u>CHRO</u> is final.</p>
Liaison	<p>The Chancellor shall designate a veterans' liaison who shall function as a liaison between veterans employed by the College District and the College District administration.</p>
Applications	<p>All applicants shall complete the application form supplied by the College District. Information in applications for all positions shall be verified before a position is offered.</p>

EMPLOYMENT PRACTICES

DC
(LOCAL)

■ Existing Policy ■ Deleted Policy ■ New Policy ■ GC Edits

**Employment
Practices**

~~Any falsification of either information or credentials shall be cause for dismissal or denial to employ.~~

~~The College District shall follow prudent personnel practices in the recruiting, interviewing, screening, and employing of all personnel.~~

STATE AND FEDERAL REVENUE SOURCES
FEDERAL

CAAB
(LOCAL)

■ Existing Policy

■ Deleted Policy

■ New Policy

■ GC Edits

Department of Labor
Grant Funds –

Priority of Service
for Veterans and
Eligible Spouses

As a condition of funds received by the College District from the U.S. Department of Labor (USDOL) to provide qualified job training programs (“Qualifying Program”), the College District shall provide, and ensure that any subrecipients of USDOL funds provide, a priority of service to veterans and eligible spouses in the receipt of employment, training, and placement services provided under a Qualifying Program, as determined by the Qualifying Program’s mandatory eligibility criteria, if any. The Chancellor shall promulgate regulations for implementation of this policy.

“Priority of Service” is distinct from the “Employment Preference for Veterans” provided in DC (LOCAL).

Definitions

The following terms shall have the meanings ascribed below:

- 1) A “Veteran” is a person who served at least one day (“Active Service”) in the active military, naval, or air service (collectively, the “Armed Forces”), and who was discharged or released therefrom under conditions other than dishonorable, as specified in 38 U.S.C. 101(2).
- 2) “Active Service” Includes full-time Federal service in the National Guard or a Reserve component. Active Service does not include full-time duty performed strictly for training purposes nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal authorities.
- 3) An “Eligible Spouse” is an eligible veteran’s spouse, including the:
 - a. Spouse of a member of the Armed Forces serving on active duty who at the time of application for priority, is listed in one or more of the following categories for a total of more than 90 days:
 - i. missing in action;
 - ii. captured in the line of duty by a hostile force;
 - or
 - iii. forcibly detained or interned in the line of duty by a foreign government of power.
 - b. Spouse of a veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or the
 - c. Surviving spouse of a deceased eligible veteran who died of a service-connected disability or died while a service-connected disability as qualified by Veterans Affairs was in existence. A spouse whose

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<p><u>Application of Priority of Service</u></p>	<p><u>eligibility is derived from a living veteran loses their eligibility if the veteran loses the status that is the basis for the veteran's eligibility or upon the spouse's divorce from the veteran.</u></p> <p>4) <u>A "Qualifying Program" includes any program or service for workforce preparation, development or delivery that is funded, in whole or in part, by U.S. Department of Labor funds received by the College District or a subrecipient of the College District.</u></p> <p><u>Veterans and Eligible Spouses (collectively, "Eligible Persons") are entitled to a priority of service over any other ineligible person in the receipt of employment, training and placement services in a Qualifying Program such that they will receive access to a Qualifying Program service earlier in time, or if a resource or access to a resource is limited, Eligible Persons will receive the service instead of or before an ineligible person. Eligible Persons must meet all eligibility and program requirements for participation in the Qualifying Program in order to receive priority.</u></p> <p><u>To the extent a Qualifying Program includes classroom training, priority of service shall apply to the selection procedure such that if there is a waitlist for the formation of a training class, application of the priority of service would require Eligible Persons to advance on the waitlist ahead of any ineligible person. Priority of service shall not be used to remove or "bump" an ineligible person from a Qualifying Program.</u></p> <p><u>Application of priority of service may vary by Qualifying Program, depending on the eligibility requirements of the Qualifying Program.</u></p>
<p><u>Identifying Veterans and Eligible Persons</u></p>	<p><u>Eligible Persons shall be identified at the point of entry into the Qualifying Program, as determined in accordance with any procedures promulgated hereunder, to ensure that priority of service is applied over the full range of services available in the Qualifying Program, including, but not limited to, registration, training and placement. Eligible Persons shall be required to self-identify upon application to or enrollment in a Qualifying Program.</u></p> <p><u>In addition, the College District shall develop and implement procedures to ensure that Eligible Persons are aware of the following:</u></p> <ol style="list-style-type: none"><u>1) Their entitlement to priority of service;</u><u>2) The full array of employment, training, and placement services available in the Qualifying Program, as applicable;</u> <p><u>and</u></p>

STATE AND FEDERAL REVENUE SOURCES
FEDERAL

CAAB
(LOCAL)

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Verifying Eligibility

3) Applicable eligibility requirements for the programs and services of the Qualifying Program.

The College District shall verify the status of Eligible Persons at the point of entry into the Qualifying Program. One or more of the following documents may be relied on to verify status:

- 1) A DD 214 (issued following separation from active duty);
- 2) An official notice issued by the Department of Veterans Affairs that establishes entitlement to a disability rating or award of compensation to a qualified dependent;
- 3) An official notice issued by the Department of Defense that documents the eligibility of an individual, based on missing or detained status of that individual's active-duty spouse; or
- 4) An official notice issued by a State veterans' service agency that documents veteran status or spousal rights, provided that the State veterans' service agency requires Federal documentation of that information.

Responsible Parties

College District employees responsible for Workforce Advancement and Development shall be responsible for ensuring compliance with this policy.