

CHANCELLOR'S CLARIFICATION

09-01

February 10, 2009

The Chancellor's Clarifications are presented as a series of explanations and reminders to ACC employees, vendors, students and others affiliated with our colleges regarding board policies and administrative procedures and their implementation. Please retain these clarifications as a quick guide to ACC policies and procedures. As always, please let me know if you have further questions or recommendations for improvement.

TOPIC: COMMUNICATION PROCEDURE

PURPOSE:

To provide guidance to ACC employees on notification and communication when employees are charged with or arrested for felonies or offenses involving moral turpitude.

ACC SHARED VALUES: Communication, Accountability

SCOPE:

All ACC employees.

ATTACHMENT: Policy DHF(LOCAL) - Employee Standards of Conduct: Felonies and Offenses Involving Moral Turpitude

CLARIFICATION

When an employee is charged with or arrested for any felony, or an offense involving moral turpitude (see attached policy for the definition of moral turpitude), the employee and administration must follow this procedure to provide a prompt, coordinated response.

Employee: An employee charged with or arrested for any felony, or an offense involving moral turpitude must report the event to his or her immediate supervisor within three calendar days of the event. If the immediate supervisor is not available, the employee must report the event to the next-level administrator, and so on until an administrator in the employee's chain of command is notified within the three-day period. Employees should report the event as soon as possible to allow time for contacting the next-level administrator within the three-day requirement in case the immediate supervisor is not available.

Supervisor or other administrator: A supervisor, next-level administrator, or other administrator who receives notice of the event shall immediately notify the college president, or if the employee is a district services employee, the appropriate vice chancellor or the Chancellor.

College President, Vice Chancellor, and Chancellor: When notified of the event, the college president, vice chancellor, or chancellor shall immediately notify the General Counsel. If the Chancellor has not been notified at this point, the College President or Vice Chancellor shall immediately notify the Chancellor.

General Counsel: When notified of the event, the General Counsel shall immediately notify the Associate Vice Chancellor for Communication. The General Counsel may also notify the ACC Police Chief, the District Ethics and Compliance Officer, the District Director of Internal Audit, the Chairperson of the Board of Trustees, and others as appropriate.

Except for specific requirements of this procedure, the Office of the Associate Vice Chancellor for Communication is the central point of contact for dissemination of information regarding the event. All requests for information shall be directed to the Associate Vice Chancellor's office.

CONSEQUENCES: Employees who violate ACC policies, regulations, Code of Conduct or guidelines (such as the Chancellor's Clarifications) are subject to disciplinary action up to and including termination.

APPLICABLE POLICIES AND CODES:


ACC POLICIES:

DHF(LOCAL) - Employee Standards of Conduct: Felonies and Offenses Involving Moral Turpitude

ACC ETHICS HANDBOOK:

"Employment", p. 14

APPROVED:



Dr. Bruce H. Leslie, Chancellor

ATTACHMENT: POLICY DHF(LOCAL)

Alamo Community College District

EMPLOYEE STANDARDS OF CONDUCT:
FELONIES AND OFFENSES INVOLVING
MORAL TURPITUDE

DHF
(LOCAL)

MORAL
TURPITUDE

College District employees shall not engage in conduct constituting moral turpitude. Moral turpitude is defined as conduct that is contrary to justice, honesty, or morality (*Black's Law Dictionary*, Abridged Seventh Edition). Moral turpitude includes but is not limited to:

1. Dishonesty; fraud; deceit; theft; misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period;
6. Acts constituting abuse under the Texas Family Code; or
7. Acts constituting an offense against public administration under Title 8, Chapters 36-39, Texas Penal Code.

NOTIFICATION

An employee who is arrested for or charged with any felony, or with any offense involving moral turpitude must notify the immediate supervisor within three calendar days of being arrested or charged.

VIOLATIONS

Violations of this policy and related regulations, procedures, and guidelines may result in disciplinary action, including termination.