Board of Trustees

Regular Board Meeting

August 23, 2022

Additional Backups for Adopt New Policies and Retire Current Policies

SOUTH TEXAS COLLEGE

The corporate name of this college, as provided by law, is South Texas College, herein referred to as “the College District.”

MANUAL OF POLICY

Title	**Preamble & Definitions**	**1000**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As Amended by Board Minute Order Dated June 24, 2004**	

South Texas College (the 'College') was created by the Texas legislature in 1993. Its service area and taxing district consist of the area within the boundaries of Hidalgo and Starr counties.

The governing body for the College is a Board of Trustees composed of 7 members. The initial Trustees were appointed by the Governor. A confirmation election was held on August 12, 1995 at which time a majority of the votes cast at the election approved the confirmation of the College, authorized the election of the Board members from Single-Member Districts established by the Board, the issuance of bonds, and the imposition of taxes.

Retire

The official title of the governing body of the College District shall be the South Texas College Board of Trustees, herein referred to as “the Board.”

Election Dates

The election of Board members shall be on the uniform election day in May of each even-numbered year as follows:

1. Districts 5 and 7 in 2008 and every six years thereafter;
2. Districts 3 and 4 in 2010 and every six years thereafter; and
3. Districts 1, 2 and 6 in 2006 and every six years thereafter.

Membership

The Board shall consist of seven members.

Method of Election

One Board member shall be elected from each of seven single-member districts in Hidalgo and Starr counties, the boundaries of which are established by Board action.

MANUAL OF POLICY

Title	**Single-Member Districts**	**1300**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

The members of the board shall be elected from 7 Single-Member Districts in Hidalgo and Starr counties heretofore established by Board Action. A copy of the map of the District is on file in the Office of the President. One Trustee shall be elected from each Single-Member District.

Retire

MANUAL OF POLICY

Title	**Elections**	**1400**
Legal Authority	**Approval of the Board of Trustees**	**Page 1 of 2**
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As Amended by Board Minute Order Dated June 17, 1999** **As Amended by Board Minute Order Dated March 4, 2004** **As Amended by Board Minute Order Dated July 15, 2004**	

Confirmation Election
A Confirmation Election was held on August 24, 1995. The voters in the College District approved the confirmation of South Texas Community College, which became South Texas College on June 24, 2004. As a result of such confirmation, Board of Trustee elections were required. Section 130.0311 was amended in 1995 to provide that the then seven (7) current trustees would draw lots to determine the initial term for each Trustee District so as to provide for staggered six (6) year terms. Such procedure was followed resulting in the terms and election dates as provided below.

Date of Regular General and Runoff Elections
The Board shall call and hold regular elections for Trustee Districts on a Uniform Election Day in May of each even-numbered year as follows:

a. Districts 5 and 7 in 2008 and every six (6) years thereafter;
b. Districts 3 and 4 in 2010 and every six (6) years thereafter; and,
c. Districts 1, 2 and 6 in 2006 and every six (6) years thereafter
(Section 130.082 of the Texas Education Code)

A candidate must receive more votes than any other candidate to be elected to the Board of Trustees (Section 2.001, Texas Election Code).

In the case where two (2) or more candidates for a Trustee positions tie for the number of votes required to be elected, the Board shall follow the applicable procedures as set out in Section 2.002 of the Texas Election Code.

Election to be Called
The Board shall call an election in accordance with the Texas Election Code.

Ballots
The location on the ballot of the names of candidates for each position shall be chosen by the candidates.

Reporting Regarding Campaign Funds
Candidates for the Board shall file any designations and reports required by law, including the filing of any required designation of a campaign treasurer and all required financial statements with the Secretary of the Board in accordance with applicable law and directives from the Texas Secretary of State.

Retire

Title	**Elections**	**1400**
Legal Authority	**Approval of the Board of Trustees**	**Page 2 of 2**
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As Amended by Board Minute Order Dated June 17, 1999** **As Amended by Board Minute Order Dated March 4, 2004** **As Amended by Board Minute Order Dated July 15, 2004**	

Bilingual Materials
The College shall provide bilingual election materials as required by law.

Voting Rights Act
The Board, being subject to the provisions of the Voting Rights Act of 1965, shall submit any changes that affect elections to the U.S. Justice Department for preclearance and shall implement such changes unless the Justice Department interposes an objection within 60 days after the date of submission. 42 U.S.C. 1973c; 28 C.F.R. 51.6; Garza V. Gates, 482 F. Supp 1211 (D.C. Tex. 1980).

Retire

Title	**Oath of Office**	**1410**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Requirements
Each Trustee shall sign and file with the Secretary of State the required Statement of Officer, as set forth below. After the statement has been filed and certificates of election have been issued, but before entering upon the duties of the office, the Trustee shall take the oath or affirmation of office and shall file it with the Board Chairman.

Administration of Oath
The oath may be administered and a certificate of the fact given by any person authorized by law, including:

1. A judge, clerk, or commissioner of the court of record;
2. A justice of the peace or a clerk of a justice court;
3. A notary public

Statement of Officer (Elected) [to be signed and filed with Secretary of State before taking Oath of Office]

"I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected, so help me God."

Statement of Officer (Appointed) [to be signed and filed with Secretary of State before taking Oath of Office]

"I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, or promised to pay, contributed, or promised to contribute any money or valuable thing, or promised any public office or employment, as a reward to secure my appointment or confirmation thereof, so help me God."

Oath of Office

"I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Trustee of the Board of South Texas College of the State of Texas, and will to the best of my ability, preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

Retire

Orientation

The Board and the College President shall provide an orientation for new Board members within the calendar year of their election to assist them in understanding the Board's function, policies, and procedures. Assistance given in the orientation of new Board members may include the following, as appropriate or available:

1. Selected materials on the responsibilities of being a contributing member of the Board.
2. Material pertinent to meetings and an explanation of its use.
3. Invitations to meet with the College President] and other administrative personnel designated by the College President] to discuss services the administration performs for the Board.
4. Access to a copy of the Board's policies and administrative regulations and other documents and information currently in use by other Board members.
5. Information regarding appropriate meetings and workshops.
6. A formal orientation on legal and budgetary oversight responsibilities of the Board.
7. Other information and activities as the Board or the College President deems useful in fulfilling the role of Board member.

Annual Training Plan

The College President shall work with the Board to develop and implement an annual plan to address the training needs of Board members.

Cybersecurity Training

The College President or designee shall determine, from the list of cybersecurity training programs certified by the Department of Information Resources (DIR) and published to DIR's website, the cybersecurity training program to be used in the College District. The College President may remove access to the College District's computer systems and databases for noncompliance with training requirements as appropriate.

The College President shall periodically require an internal review of the College District to ensure compliance with the cybersecurity training requirements.

Public Information Coordinator

The College President or designee shall fulfill the responsibilities of the public information coordinator and shall receive, on behalf of Board members, the training specified by Government Code 552.012.

Title	**Orientation and Training of Trustees**	**1520**
Legal Authority	**Approval of the Board of Trustees**	**Page 1 of 1**
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As Amended by Board Minute Order Dated November 26, 2019**	

I. Purpose

The purpose of the policy is to provide the process for the orientation and training of trustees serving on the South Texas College Board of Trustees.

II. Policy

Information for Candidates for Board of Trustees
Application packets for candidates seeking a place on the ballot for election to the South Texas College Board of Trustees, or seeking consideration to be nominated to fill a vacancy on the South Texas College Board of Trustees, shall include guidance on best practices for trustees, roles and responsibilities of trustees, and ethical governance.

These application packets shall also include current South Texas College Policies related to the authority and functions of the Board, goals for trustees, and conflicts of interest.

Training for New Trustees
Upon election or appointment to the Board, College administration will provide all new trustees with information and access to state-mandated training programs for Texas junior college governing board members, including the following:

- Intensive Short Course for Appointed Members of Governing Board (Texas Education Code, Section 61.0841)
- Open Meetings Training (Texas Government Code, Section 551.005)
- Open Records Training (Texas Government Code, Section 552.012)
- Public Funds Investment (Texas Government Code, Section 2256.007)
- Training for Members of Governing Board (Texas Education Code, Section 61.084)

Trustee Education Conferences
College administration will provide trustees with ongoing notification of conferences and other opportunities to network with and learn from fellow trustees across the state and the nation, including but not limited to those coordinated by the Community College Association of Texas Trustees (CCATT) and the Association of Community College Trustees (ACCT).

III. History

Origination Date Approved by Board:
July 27, 1995

Date Amended and Approved by Board:
November 26, 2019

Retire

Board Authority

The Board has final authority to determine and interpret the policies that govern the College District and, within the limits imposed by other legal authorities, has complete and full control of the College District.

Transacting Business

Official Board action shall be taken only in meetings that comply with the Open Meetings Act. When a proposal is presented to the Board, the Board shall hold a discussion and reach a decision. The affirmative vote of a majority of all Board members present at a duly called meeting shall be required to transact business. [See BD] Although there may be dissenting votes, which are a matter of public record, each action of the Board supported by the majority is binding on the whole Board.

Individual Authority for Committing the Board

Board members as individuals shall not exercise authority over the College District, its property, or its employees. Except for appropriate duties and functions of the Chairman of the Board , an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue. [See BCAB]

Individual Access to Information

An individual Board member, acting in the member's official capacity, shall have the right to seek information pertaining to College District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the general public in accordance with the Public Information Act. [See GCA]

Limitations

If a Board member is not acting in the member's official capacity, the Board member has no greater right to College District records than a member of the public.

An individual member shall not have access to confidential student records unless the member is acting in the member's official capacity and has a legitimate educational interest in the records in accordance with policies FJ(LEGAL) and (LOCAL).

Requests for Records

Individual members shall seek access to records or request copies of records from the College President or other designated custodian of records. When a custodian of records other than the College President provides access to records or copies of records to individual Board members, the provider shall inform the College President of the records provided.

A Board member who is denied access to a record under this policy may ask the Board to determine whether the record should be provided or may file a request under the Public Information Act. [See GCA]

Requests for Reports

No individual Board member shall direct or require College District employees to prepare reports derived from an analysis of information in existing College District records or to create a new record compiled from information in existing College District records.

Directives to the College President or other College District staff regarding the preparation of reports that will, in the opinion of the College President, require excessive staff time or expense shall be authorized by action of the Board.

Confidentiality

At the time Board members are provided access to confidential records or to reports compiled from such records, College President or other College District employee shall advise them of their responsibility to comply with confidentiality requirements and the College District's information security controls.

Referring Complaints

If employees, students, or citizens bring a concern or complaint to an individual Board member, the Board member shall refer them to the College President or designee, who shall proceed according to appropriate Board policy. [See DGBA, FLD, and GB]

When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.

Staff Authority

Except as authorized by these policies, no employee or agent shall have the authority to bind the College District contractually.

Title	**Authority & Functions of the Board, Committees and Individual Trustees**	**1001**
Legal Authority	**Approval of the Board of Trustees**	**Page 1 of 2**
Date Approved by Board	**As Amended by Board Minute Order Dated December 10, 2019**	

I. Purpose

The purpose of this policy is to outline the authority and functions of the Board of Trustees in meeting the responsibilities and expectations of their governance of South Texas College.

II. Policy

Authority & Functions of the Board of Trustees

The Board, within the limits imposed by law, has complete and full control of the College. The Board has final authority to formulate and interpret the policies that govern the College.

The written policies adopted by the Board shall serve as authority for implementation of Board decisions and actions by the College administration.

The general responsibilities of the Board are to:

1. Determine the boundaries of the Single-Member Districts from which Trustees are to be elected.
2. Call and hold elections pursuant to statute.
3. Periodically review, revise and adopt the Comprehensive Mission Incorporating the Institutional Vision, Mission, and Core Values.
4. Determine the quality of professional leadership needed to carry out the administration and operation of the College.
5. Conduct an annual self-evaluation of the Board of Trustees, including a report on the findings of the self-evaluation and the application of these findings toward continued improvement of the operations of the Board of Trustees.
6. Select, appoint, and annually evaluate the performance of the President of the College.
7. Establish policies which govern the organization and operation of the College based on current best practices, advise from legal counsel, operational requirements, legal mandates, and administrative input.
8. Review and take appropriate action on matters relating to site selection, acquisition of real and personal property, and facilities development.
9. Approve the annual budget, review and approve expenditures as required under College policy and State law and authorize and review the annual audit of the College.
10. Approve degree and certificate programs of study.
11. Receive and review administrative reports concerning the appointment, promotion, retention, or dismissal of College employees.
12. Receive and review administrative reports concerning academic, continuing education, and workforce training programs.
13. Consider inquiries and requests from citizens, students, employees, faculty and organizations on matters of policy and administration affecting the College.
14. Provide a forum for students, employees, faculty, and citizen comments on matters of Board policy.
15. Enhance the public image of South Texas College.
16. Assume responsibility, based on Board oversight, for all aspects of the operation of the College.
17. Perform duties authorized by applicable laws or regulations.

Retire

Authority of Board Committees
Committees may be created by the Board Chair to advise the Board and facilitate the efficient operation of the Board.

Beyond the Board's ongoing operational committees such as the Education and Workforce Development Committee, Facilities Committee, and Finance, Audit, and Human Resources Committee, the Chair may appoint ad-hoc committees to deal with specific items. These committees will be dissolved upon the completion of their work, which may result in recommendations to the Board.

The Board is not bound by the action of a Board Committee or any of its individual members.

Authority of Individual Trustees
A member of the Board (a 'Trustee') has no authority except when in an official meeting or except when acting with official authorization of the Board.

III. Key Accreditation Agency, Federal, and/or State Statutes

Pertinent Information
Southern Association of Colleges and Schools Commission on Colleges – Principles of Accreditation Section 4: Governing Board.

IV. History

Origination Date Approved by Board	July 27, 1995
Date Reviewed and Approved by Board	July 27, 1995 February 18, 1999 July 15, 2004 August 21, 2008 January 15, 2009 August 27, 2019 December 10, 2019

Retire

Title	**Texas Open Meetings Act**	**1630**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Every meeting of the Board shall be in compliance with the Texas Open Meetings Act, and open and accessible to the public. The Board may, however, exclude any witness or witnesses from a hearing during an examination of another witness in the matter being investigated, and may enter into closed or executive session, as provided by law.

Retire

Statement of Ethics

As a member of the Board, I shall strive to improve community college education, and to that end I shall adhere to all state and federal laws, College District policies, and the ethical standards set out in this policy.

Service

I shall attend all regularly scheduled Board meetings insofar as possible and devote time, thought, and study to the duties and responsibilities of a Board member, so that I may render effective and creditable service.

I shall bring about desired changes through legal and ethical procedures, upholding and enforcing all applicable statutes, regulations, and court decisions pertaining to community colleges.

I shall establish and adhere to policies and practices prohibiting unlawful discrimination, including harassment on the basis of sex, gender, race, color, national origin, religion, age, disability, or any other basis prohibited by law.

Collaboration

I shall work with my fellow Board members in a spirit of harmony and cooperation and encourage the free expression of opinion in spite of differences that arise during vigorous debates of points of issue.

I shall base my personal decisions upon all available facts in each situation; vote my honest conviction in every case, unswayed by partisan bias of any kind; and abide by and uphold the final majority decisions of the Board.

Authority

I shall remember at all times that as an individual I have no legal authority outside the meetings of the Board, and to conduct my relationships with the College District staff, the local citizenry, and all media of the community on the basis of this fact.

I shall resist every temptation and outside pressure to use my position as a Board member to benefit myself or any other individual or agency apart from the total interest of the College District.

Roles

I shall recognize that it is as important for the Board to understand and evaluate the educational program of the College District as it is to plan for the business of College District operations.

I shall delegate the administrative matters of the College District to the College President and support the employment of qualified College District staff.

I shall welcome and encourage active cooperation by citizens, organizations, and the College District media by communicating with respect to policy on current College District operations and proposed future developments.

I shall speak with one voice as a Board member once a Board decision or policy is made.

Teamwork

I shall support state and national organizations in their efforts to benefit Texas community colleges, such as the Community College Association of Texas Trustees, the Texas Association of School Boards, and the Association of Community College Trustees.

I shall work step by step toward ideal conditions for the most effective College District Board service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and the perpetuation of our representative democracy.

REFERENCE: derived from the *Association of Community College Trustees Guide to Ethical Governance*

Title	**Goals for Trustees**	**1020**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Members of the Board will strive to improve public education, and to that end shall strive to:

1. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning issues to be considered at those meetings.

2. Work with other Trustees to establish effective Board policies, after full discussion.

3. Render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special-interest groups.

4. Encourage the free expression of opinion by all Trustees, and seek systematic communications between the Board and students, staff, and all elements of the community.

5. Communicate to other Trustees and the President public reaction to Board policies and College programs.

6. Become informed about current educational issues by individual study and through participation in programs providing information, such as those sponsored by the American Association of Community Colleges and the Association of Community College Trustees.

7. Support the employment of those persons best qualified to serve as College staff, and insist on a regular and impartial evaluation of all staff.

8. Avoid being placed in a position of conflict of interest, and refrain from using the position of Trustee for personal or partisan gain.

9. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.

10. Remember always that the first and greatest concern must be the educational welfare of the students attending the College.

Retire

MANUAL OF POLICY

Title	**Code of Ethics for Board Members**	**1510**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated August 10, 1995** **As Amended by Board Minute Order Dated July 15, 2004**	

Each member of the Board of Trustees will strive to improve community college and higher education, and to that end shall adhere to the following ethical standards:

1. Bring about desired changes through legal and ethical procedures, upholding and enforcing all applicable statutes, regulations, and court decisions pertaining to community colleges and higher education.

2. Work with other Board members to establish effective policies and practices prohibiting unlawful discrimination, including conduct that constitutes sexual harassment.

3. Make policy decisions only after full discussion at publicly held Board meetings.

4. Render all decisions based on the available facts and the Trustee's independent judgment, and refuse to surrender that judgment to individuals or special interest groups.

5. Encourage the free expression of opinion by all Board members.

6. Support the employment of the best-qualified persons to serve as college staff, and insist on a regular and impartial evaluation of all staff.

7. Avoid being placed in a position of conflict of interest, and refrain from using this Board position for personal or partisan gain.

8. Avoid private action that may compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.

9. Focus concern toward the needs of the community and the students attending the College.

Retire

Expense Reimbursement

Board members shall be entitled to reimbursement for reasonable expenses incurred in carrying out Board business at the Board's request and for reasonable expenses incurred while attending meetings and conventions as official representatives of the Board.

An amount for Board member travel expense reimbursement shall be approved in the budget each year.

Reimbursement shall be made by one of the following methods, as determined by the Board:

1. Reimbursement for use of personal car at the mileage rate currently approved in accordance with the College District's travel procedures, or the actual cost of commercial transportation, plus parking and taxi fares and expenses for lodging, meals, and other incidental expenses. Board members shall file a statement, and to the extent feasible, attach receipts documenting actual expenses for which reimbursement is requested.

2. A set amount approved in advance for reasonable expenditures to be incurred on a particular trip. This amount shall include travel, lodging, meals, and any other reasonably predictable expenditures. Board members shall file a statement, with receipts, accounting for amounts actually expended. Any excess shall be refunded to the College District.

Title	**Compensation and Expenses**	**1530**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Trustees shall not receive any remuneration of office. Trustees shall be entitled to reimbursement for their actual expenses incurred in performing their duties, to the extent authorized and permitted by the Board. The Board may not ordinarily pay the travel expenses of spouses and other persons when accompanying Trustees to Board-related activities. The Trustee may seek reimbursement from the College for payments made for such travel expenses. *Attorney General Opinion M.W.-93 (1979).*

Retire

Board members may attend regional, state, or national conventions, conferences, and workshops. Reimbursement for reasonable travel expenses for attendance at such conventions, conferences, and workshops shall be made by the College District when attendance is authorized and deemed by the Board to be necessary or desirable in carrying out the educational functions of the College District. [See BBG]

Board Officers

The Board shall elect the following officers, who shall have the following duties:

1. A Chairman of the Board, who shall be a member of the Board, and who shall:
   a. Preside at the meetings of the Board; and
   b. Perform such other duties and functions as may, from time to time, be assigned by the Board;
2. A Vice Chairman, who shall be a member of the Board, and who shall:
   a. Preside at meetings of the Board during the absence of the Chairman; and
   b. Perform such other duties and functions as may, from time to time, be assigned by the Board;
3. A Secretary, who may, but does not have to, be a member of the Board and who shall:
   a. Be the official custodian of the minutes, books, records, and seal of the Board; and
   b. Perform such other duties and functions as may, from time to time, be assigned by the Board; and
4. Any other officers, as deemed necessary or advisable, who shall have the duties and responsibilities assigned by the Board.

Each officer, after election, maintains all rights and responsibilities of all Trustees, if a member of the Board, including the right to vote.

Eligibility for Office

No officer shall succeed themself. An officer shall be entitled to hold another office after completing a term, or terms in one office. An officer shall also be entitled to be elected to an office that the officer has held previously, but which the officer did not hold in the immediately preceding term.

Election of Officers

Officers of the Board shall be elected at the first regular meeting of the Board after the May election in even-numbered years or at any other time when necessary to fill a vacancy. In addition to the required post-election organization, the Board may also organize at any other times.

Title	**Board Officers**	**1100**
Legal Authority	**Approval by Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated September 14, 1995**	

The Board shall elect the following officers, who shall have the following duties:

Chairman
A Chairman of the Board, who shall be a member of the Board, and who shall:
a. Preside at the meetings of the Board; and
b. Perform such other duties and functions as may, from time to time, be assigned by the Board.

Vice Chairman
A Vice Chairman, who shall be a member of the Board, and who shall:
a. Preside at meetings of the Board during the absence of the Chairman; and
b. Perform such other duties and functions as may, from time to time, be assigned by the Board.

Secretary
A Secretary who may, but does not have to, be a member of the Board and who shall:
a. Be the official custodian of the minutes, books, records and seal of the Board; and
b. Perform such other duties and functions as may, from time to time, be assigned by the Board.

Any other officers, as deemed necessary or advisable, who shall have the duties and responsibilities assigned by the Board.

Each officer, after election, maintains all rights and responsibilities of all Trustees, if a member of the Board, including the right to vote.

Eligibility for Office
No officer shall succeed himself or herself. An officer shall be entitled to hold another office after completing a term, or terms in one office. An officer shall also be entitled to be elected to an office he has held previously, but which he did not hold in the immediately preceding term.

Election of Officers
Officers of the Board shall be elected at the first regular meeting of the Board after the May trustee election in even-numbered years or at any other time when necessary to fill a vacancy. In addition to the required post-election organization, the Board may also organize at any other times.

Retire

The Chairman of the Board may, from time to time as the Chairman of the Board deems necessary, create committees to advise the Board and facilitate the efficient operation of the Board. Their membership is to be established by action of the Chairman of the Board.

Board Committees

Authority of Board Committees

Committees may be created by the Chairman of the Board to advise the Board and facilitate the efficient operation of the Board.

The Board is not bound by the action of a Board Committee or any of its individual members.

Board Committees

Education and Workforce Development

The Education and Workforce Development committee supports the Board in its obligation to provide oversight for the academic, workforce training, and economic development programs of the College District. The committee's specific roles shall include reviewing and recommending action as necessary to the Board regarding:

1. New academic and workforce programs for submittal to the Texas Higher Education Coordinating Board;
2. Development of technical training programs to offer competitive, quality training to help promote the regions value to the global economy;
3. Development of policies in the areas of academic affairs, student services, admissions requirements, academic advising, counseling, and instruction support services;
4. Curricular and teaching innovation and the use of technology for program development and other educational initiatives;
5. Quality and effectiveness of all instructional programs and monitoring their continued improvement;
6. Inter-institutional cooperation with four-year institutions, public school districts, and workforce partners; and
7. Development of economic development opportunities to expand the College District's capacity and impact on regional economic prosperity;

Finance, Audit, and Human Resources

The Finance, Audit, and Human Resources committee supports the Board in its fiduciary responsibilities and in overseeing the investment and expenditure of public and grant funds to support the mission of the College District. The committee's specific roles shall

include reviewing and recommending action as necessary to the Board regarding:

1. Budgetary and fiscal matters of the College District within the applicable state laws and rules and regulations of the Texas Higher Education Coordinating Board;
2. Annual budget, staffing plan, and salary pay plan documents, including all substantive changes to those documents from preceding fiscal years;
3. Establishment of tuition and fee requirements;
4. Award of contracts, grants, and bids for the College District;
5. Activities relating to foundations, grants, and endowments in perpetuity;
6. Financial condition and stability of the College District;
7. Development of personnel policies and procedures as necessary regarding employee compensation and benefits, adherence to equal employment opportunity regulations and, grievance and due process regulation.
8. Selection of the independent external auditor of the annual financial statements of the College District, and the external auditor process and reports; and
9. System of internal controls and the internal audit process and reports.

Facilities

The Facilities committee supports the Board in its oversight of facilities expansion and maintenance and advises the Board on matters related to design, construction, and occupancy of the College District's facilities. The committee's specific roles shall include reviewing and recommending action as necessary to the Board regarding:

1. Current and long-term facilities needs of the College District at all campuses and developing plans to meet projected needs;
2. Development of the facilities master plan for the College District;
3. Capital improvement projects for the College District;
4. Development and adherence to facilities design guidelines and standards for projects district-wide;

5. Selection of design professionals, engineering, and construction services firms;
6. Priorities for the renovation of existing space or addition of new space;
7. Acquisition of real property;
8. Naming of College District buildings and other facilities; and
9. Project status against contractual arrangements.

Additional Committees	Additional committees may be created by the Chairman of the Board as necessary or desirable. All committees shall consist of a maximum of three Board members.
Quorum	A quorum is not necessary to conduct committee business.

Title	**Board Committees**	**1110**
Legal Authority	**Approval by the Board of Trustees**	**Page 1 of 2**
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As Amended by Board Minute Order Dated June 24, 2004** **As Amended by Board Minute Order Dated September 15, 2004** **As Amended by Board Minutes Order Dated December 11, 2012** **As Amended by Board Minutes Order Dated July 29, 2014** **As Amended by Board Minutes Order Dated July 26, 2016**	

The Chair may, from time to time as the Chair deems necessary, create committees to advise the Board and facilitate the efficient operation of the Board. Their membership is to be established by action of the Chair. A committee that includes one or more Trustees is subject to the Open Meetings Act when it meets to discuss public business or policy. The following committees are designated by the Board:

1. **Education and Workforce Development -** This Committee supports the Board in its obligation to provide oversight for the academic, workforce training, and economic development programs of the College. The Committee's specific roles shall include reviewing and recommending action as necessary to the Board regarding:

   - New academic and workforce programs for submittal to the Texas Higher Education Coordinating Board;
   - Development of technical training programs to offer competitive, quality training to help promote the regions value to the global economy;
   - Development of policies in the areas of academic affairs, student services, admissions requirements, academic advising, counseling, and instruction support services;
   - Curricular and teaching innovation and the use of technology for program development and other educational initiatives;
   - Quality and effectiveness of all instructional programs and monitoring their continued improvement;
   - Inter-institutional cooperation with four-year institutions, public school districts, and workforce partners;
   - Development of economic development opportunities to expand the College's capacity and impact on regional economic prosperity;

2. **Finance, Audit, and Human Resources -** This Committee supports the Board in its fiduciary responsibilities and in overseeing the investment and expenditure of public and grant funds to support the mission of the College. The Committee's specific roles shall include reviewing and recommending action as necessary to the Board regarding:

   - Budgetary and fiscal matters of the College within the applicable state laws and rules and regulations of the Texas Higher Education Coordinating Board;
   - Annual budget, staffing plan, and salary pay plan documents, including all substantive changes to those documents from preceding fiscal years;
   - Establishment of tuition and fee requirements;
   - Award of contracts, grants, and bids for the College;
   - Activities relating to foundations, grants, and endowments in perpetuity;
   - Financial condition and stability of the College;
   - Development of personnel policies and procedures as necessary regarding employee compensation and benefits, adherence to equal employment opportunity regulations and, grievance and due process regulation.
   - Selection of the independent external auditor of the annual financial statements of the College, and the external auditor process and reports;
   - System of internal controls and the internal audit process and reports.

Retire

3. **Facilities** - This Committee supports the Board in its oversight of facilities expansion and maintenance and advises the Board on matters related to design, construction, and occupancy of the College's facilities. The Committee's specific roles shall include reviewing and recommending action as necessary to the Board regarding:

   - Current and long-term facilities needs of the College at all campuses and developing plans to meet projected needs;
   - Development of the facilities master plan for the College;
   - Capital improvement projects for the College;
   - Development and adherence to facilities design guidelines and standards for projects district-wide;
   - Selection of design professionals, engineering, and construction services firms;
   - Priorities for the renovation of existing space or addition of new space;
   - Acquisition of real property;
   - Naming of College buildings and other facilities; and
   - Project status against contractual arrangements.

Additional Committees
Additional committees may be created by the Chair as necessary or desirable. All committees shall consist of a minimum of 3 Trustees.

Quorum
A quorum for action by any committee shall be a majority of the committee. Upon failure of a quorum at a duly called committee meeting, those committee members present may deliberate and upon such deliberation make recommendations to the Board.

Retire

The Board shall retain an attorney or attorneys, as necessary, to serve as the College District's legal counsel and representatives in matters requiring legal services. Services to be performed and reasonable compensation to be paid by the Board shall be set forth in a written contract between the Board and the attorney or attorneys.

In accordance with the written contract, individual Board members shall channel legal inquiries through the College President or Board designee, as appropriate, when advice or information from the College District's legal counsel is sought.

Staff requests for legal advice from the College District's legal counsel shall be submitted through the College President or designee.

If engaged legal counsel recuses themself from representing the College District on any matter, the College President is authorized to engage different legal counsel for that specific matter.

In addition, the College President is authorized to engage legal counsel services for specialized legal needs or any other legal needs, after consultation with contracted legal counsel.

A report of legal advice received shall be presented to the Board when deemed appropriate by the administration or upon request of the Board.

MANUAL OF POLICY

Title	**Legal Counsel**	**2200**
Legal Authority	**Approval of the Board of Trustees**	**Page 1 of 1**
Date Approved by Board	**As Amended by Board Minute Order dated May 30, 2019**	

I. Purpose

The purpose of the policy is to provide the roles and responsibilities for the engagement of legal counsel services for the College.

II. Policy

The Board of Trustees shall retain an attorney(s), as necessary, to serve in the capacity of legal counsel for the College and to represent and advise the Board and Administration on legal matters referred for legal counsel.

The attorney(s) shall be reasonably compensated and shall serve at the pleasure of the Board. The attorney(s) shall be available to handle all legal matters for the Board and the administration of the College, and shall be responsible to the Board. Services to be performed and reasonable compensation to be paid by the Board shall be set forth in a written contract/letter of engagement between the Board and the attorney(s).

Staff requests for legal advice from the College's legal counsel shall be submitted through the College President or designee.

The attorney(s) shall attend Board meetings when requested by the Board or by the President and shall be available for consultation with members of the Board, the President, and individual staff members designated by the President, and shall undertake to represent the Board and the College in all matters referred by the Board and the President.

In the event that engaged legal counsel recuses them self from representing the College on any matter, the President is authorized to engage legal counsel for that specific matter, in accordance with Purchasing Policies.

In addition, the President is authorized to engage legal counsel services for specialized legal needs or any other legal needs, after consultation with contracted legal counsel, and in accordance with Purchasing Policies.

III. History

Origination Date Approved by Board:
November 9, 1995

Date Amended and Approved by Board:
November 24, 2015
May 30, 2019

Retire

At least annually, the Board shall conduct a self-evaluation of Board and Board member performance. The evaluation shall consider such items as role recognition, relationship with others, performance at Board meetings, and self-improvement activities. The procedure shall also include a review of those factors that facilitate effective Board meetings. The Board may solicit suggestions for improvement from others through established College District communication channels.

This evaluation may be conducted in a regular meeting, in a special meeting, or in a workshop setting.

Meeting Place and Time

The notice for a Board meeting shall reflect the date, time, and location of the meeting.

Regular Meetings

Regular meetings of the Board shall typically be held on the fourth Tuesday of each month at 5:30 p.m. When determined necessary and for the convenience of Board members, the Chairman of the Board may change the date, time, or location of a regular meeting with proper notice.

Special or Emergency Meetings

The Chairman of the Board shall call a special meeting at the Chairman of the Board's discretion or on request by two members of the Board.

The Chairman of the Board shall call an emergency meeting when it is determined by the Chairman of the Board or two members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting

Agenda

Submission of Topics

A Board member may request that a subject be included on the agenda for a meeting. The deadline for submitting items for inclusion on the agenda is seventh calendar day before regular meetings and seventh calendar day before special meetings.

Preparation

The College President shall compile for review by the Chairman of the Board all topics timely submitted by Board members, topics requested by the Board, and topics suggested by the College President.

The Chairman of the Board and the College President shall confer regarding the proposed topics, and the Chairman of the Board shall determine the topics for the official meeting agenda. The Chairman of the Board shall ensure that any topic the Board or individual Board members have requested be addressed are either on the meeting agenda or scheduled for deliberation at an appropriate time in the near future. The Chairman of the Board shall not refuse to assign a topic requested by a Board member to an agenda and, once assigned, shall not have the authority to remove the topic from the agenda without that Board member's specific authorization.

Consent Agenda

When the agenda is prepared, the Chairman of the Board shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board

member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.

Notice to Members

Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting and at least one hour prior to the time of an emergency meeting.

Closed Meeting

Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, as provided by law. The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BDA]

Order of Business

The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members present.

Rules of Order

The Board shall observe the parliamentary procedures as found in *Robert's Rules of Order, Newly Revised,* except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.

The failure to strictly follow *Robert's Rules of Order, Newly Revised* shall not act to invalidate any action of the Board for which a quorum was present otherwise held in accordance with the law.

Voting

Voting shall be by voice vote or show of hands, as directed by the Chairman of the Board . Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request.

Minutes

Board action shall be carefully recorded by the Board Secretary or designee; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board Secretary or other Board Officer.

The official minutes of the Board shall be retained on file in the office of the College President and shall be available for examination during regular office hours.

Discussions and Limitation

Discussions shall be addressed to the Chairman of the Board and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the Chairman of the Board shall halt discussion that does not apply to the business before the Board.

The Chairman of the Board shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Chairman of the Board shall not interfere with debate so long as members wish to address themselves to an item under consideration.

Title	**Types of Meetings**	**1610**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As Amended by Board Minute Order dated July 23, 1998**	

"Meeting," means any deliberation between a quorum of Trustees, or between a quorum of Trustees and any other person, during which public business or public policy over which the Board has supervision or control is discussed or considered, or during which the Board takes any formal action. The term does not include the gathering of a quorum of the Board at a social function, unrelated to the public business that is conducted by the Board, or the attendance by a quorum of the Board at a regional, state, or national convention or workshop, if formal action is not taken and any discussion of public business is incidental to the social function, convention, or workshop.

The Board may have the following types of meetings:

1. **Meetings Open to the Public**

   a. **Regular:** Regular meetings of the Board shall be held on the third Thursday of each month at a time and place to be designated by the Chairman of the Board or upon motion duly approved by the Board.

   b. **Special:** Special meetings may be held upon call by the Chairman of the Board or when requested by 3 members of the Board. The request for a special meeting shall set out the subject or subjects to be considered at the special meeting. The request shall be made to either the Chairman of the Board or the President of the College.

   c. **Emergency:** Emergency meetings, upon 2 hours notice, may be called in the same manner as a special meeting. Any request for an emergency meeting shall clearly identify the emergency or urgent public necessity. Cases of emergency and urgent public necessity are limited to imminent threats to public health and safety or reasonably unforeseeable situations requiring immediate action by the Board.

   d. **Study Sessions:** The Board may schedule study sessions to review matters that cannot be handled in the time allocated to regular Board meetings. No action shall be taken at a meeting that is designated a study session.

2. **Executive Session**

   Executive sessions of the Board, closed to all persons other than those specifically permitted by the Board, may be held in connection with any meeting. Only those subjects permitted by the Texas Open Meetings Act to be considered in a closed meeting shall be considered in executive session.

The holding of any meeting may be waived or its date or time may be changed by a motion duly approved by the Board, in compliance with the Texas Open Meetings Act.

Retire

Title	**Meeting Procedures**	**1620**
Legal Authority	**Approval of the Board of Trustees**	**Page 1 of 3**
Date Approved by Board	**As Amended by Board Minute Order Dated November 26, 2019**	

I. Purpose

The purpose of the policy is to provide the meeting procedures to be used by the Board of Trustees for all Board and Board Committee meetings and work sessions.

II. Policy

Parliamentary Procedures
Unless otherwise provided by law or bylaws or policies of the Board, the Board shall conduct its meeting to the extent practical in accord with Robert's Rules of Order. The failure to strictly follow Robert's Rules of Order shall not act to invalidate any action of the Board for which a quorum was present otherwise held in accordance with the law.

Passing Resolutions or Orders
No action shall be taken by the Board without a motion. No action shall be taken by the Board except by affirmative vote of a majority of a quorum. Each Trustee exercises one vote.

Method of Voting
Votes by all members of the Board may be made orally or by show of hands. Upon request of a Trustee, the vote shall be by show of hands. No vote shall be taken by secret ballot.

Adequate Information to Precede Action
The Board shall take every precaution to assure itself of full and adequate information prior to action. The President shall be given an opportunity to examine and evaluate all information received by the Board from any source and to recommend action before the Board makes any decision.

Public Participation in Regular Board Meetings
Regular Board meetings are held to transact the business of the College and are open to the public except when executive sessions are permitted by law. Members of the public (including employees and students) having concerns relating to the College may request that their concerns be added on the agenda. To be placed on the agenda, application must be made in writing through the President's Office at least seven (7) days prior to the scheduled meeting. In addition, the Board shall designate a portion of its regular monthly meeting to hear comments from individuals who have not requested a place on the agenda. Persons who wish to participate in this portion of the meeting shall sign up prior to the start of the meeting, and indicate the topic about which they wish to speak.

Public participation is limited to those persons who have requested and been placed on the agenda, to those persons who have otherwise been specifically invited by the Board to make comments concerning items on the agenda, and to that portion of the meeting designated for public comments. At all other times during Board meetings, the audience shall not enter into discussions or debate on matters being considered by the Board.

No public presentation shall exceed five (5) minutes. Delegations of more than five (5) persons shall appoint one person to present their views to the Board.

Retire

Public Comments
The following provisions shall apply in the preparation of Board Agendas and the transaction of official business at Regular Board Meetings:

1. Regular meetings of the Board shall be held in public for the conduct of the public business. It is not a public hearing unless so designated by the Board.

2. Groups and individuals may appear before the Board to present their views or to make proposals for consideration by the Board. To be placed on the agenda, application must be made in writing through the President's Office at least 7 days prior to the scheduled meeting.

3. Discussion before the Board shall be limited to five (5) minutes per individual and fifteen (15) minutes per delegation unless waived by a majority of the Board.

4. Time limitations shall not preclude the Board from requesting specific reports from anyone attending the Board meeting and having information desired by the Board pertaining to a specific topic under discussion.

Board's Response to Public Comment
Specific factual information or recitation of existing policy may be furnished in response to public inquiries, but the Board may not deliberate, discuss, or make any decision on any subject not on the agenda.

Recording by Attendee
All or any part of the proceedings in any open meeting may be recorded by any person in attendance by means of a tape recorder, video camera, or any other means of aural or visual reproduction. The disclosure of information regarding executive sessions is limited by law, as described elsewhere herein. The Board may impose reasonable rules to maintain order at the meeting, including rules relating to the location of any recording equipment and the manner in which the recording is conducted. Such rules shall not have the effect of preventing or unreasonably impairing camera coverage or tape recording.

Broadcast Stream and Online Archive – Regular Board Meetings and Public Hearings
In compliance with Texas Government Code Sec. 551.1282, (b)(2), all regularly scheduled meetings of the Board and Board Committees shall be broadcast over the College's website, except for those portions closed to the public as authorized by law.

In compliance with Texas Government Code Sec. 551.1282 (b)(3), these broadcast meetings shall be recorded and made publicly available in an online archive on the College's website.

In compliance with Texas Government Code Sec. 551.128 (b-4)(2), the College shall maintain these recordings in the publicly available online archive for not less than two years after the date the recording was first made available.

After removal from the publicly available online archive, these recordings will be maintained in compliance with the College's Records Management Procedures.

Retire

Board Work Sessions
Board Work Sessions will be called as needed for special circumstances, and not for the deliberation or action on regular Board business.

- Public Notice of Board Work Sessions will be provided in compliance with Board Policy: 1625: Notice of Meeting: Contents of Notice, and with the Texas Open Meetings Act.

- Board Work Sessions will be held for deliberative purposes only. Board Work Sessions will not include any agenda items that will call for a vote by the Board of Trustees, nor will they include periods of public comment or testimony.

- In compliance with Texas Government Code Sec. 551.128 (b-1)(1)(B)(ii), Board Work Sessions that do not include a vote on any matter or allow public comment or testimony will not be required to be broadcast or audio/video recorded.

Meetings by Conference Call
The Board may hold a meeting by telephone conference call if:

1. The meeting is a special called meeting and immediate action is required; and

2. The convening at one location of a quorum of the governing board is difficult or impossible. A meeting by telephone conference call is subject to the notice requirements applicable to other meetings.

Retire

III. History

Origination Date Approved by Board:
July 27, 1995

Date Amended and Approved by Board:
November 19, 1996
July 15, 2004
November 26, 2019

Title	**Notice of Meeting: Contents of Notice**	**1625**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Written notice of the meeting should include the date, hour, place, and subject of each meeting of the Board. Written notice need not be given regarding specific factual information or recitation of existing policy furnished in response to an inquiry made at a meeting by the general public or a Trustee. However, any deliberation, discussion, or decision with respect to the subject about which inquiry was made shall be limited to a proposal to place such subject on the agenda for subsequent meeting, if the subject is one which is otherwise subject to the Texas Open Meetings Act.

Notice shall be provided in accordance with the law.

Retire

MANUAL OF POLICY

Title	**Agenda**	**1640**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995** ***As Amended by Board Minute Order Dated July 15, 2004***	

The President shall develop the agenda for regular Board Meetings in cooperation with the Board Chairman. Requests for placing items on the agenda shall be given to the President in sufficient time to develop proper informational materials for the use of Trustees.

No new business shall be transacted by the Board unless the items are placed on the agenda and relevant information has been delivered to the Board at least twenty-four (24) hours prior to each meeting. Changes in the agenda by virtue of new business items shall be publicly posted by written notice as required by law.

Subjects for meetings shall be placed on the agenda at the request of any Trustee made to the Chairman of the Board at least 7 days prior to the scheduled meeting.

Order of Agenda
The order of business at all meetings of the Board shall be:

Call meeting to order
Determination of Quorum
Invocation
Public Comments
Presentations
Approval of minutes of previous meetings
Agenda items
Recess to Executive Session if needed
Adjournment

Retire

Title	**Consent Agenda**	**1645**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated November 19, 1996**	

Consent Agenda

All items listed under a consent agenda are considered to be routine by the Board and shall be enacted with one motion. There shall be no separate discussion of items unless a Board Member or citizen so requests, in which event the item shall be removed from the consent agenda and considered as an item on the regular agenda.

Retire

Title	**Quorum**	**1650**
Legal Authority	**Approval of the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Quorum
A quorum means a majority of the members of the Board of Trustees.

Retire

Title	**Minutes**	**1660**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Minutes
The Board shall prepare and keep minutes or make a tape recording of each of its open motions. The minutes of these meetings shall:

1. state the subject of each deliberation;

2. indicate each vote, order, decision, or other action taken, including, motions, proposals, resolutions, orders and measures proposed and their disposition, the results of all votes, and upon request of a member of the Board, the vote of each member by name, and the substance of any matter discussed by the Board;

3. record the members of the Board present at the meeting.

When approved by the Board, the minutes shall become the official minutes of a meeting. The minutes and tape recordings of an open meeting are public records and shall be available for public inspection and copying on request to the Board. Certified agendas of executive sessions shall be prepared and kept in the manner stated in that portion of this manual dealing with executive sessions.

Retire

Limit on Participation

Audience participation at a Board meeting is limited to the portion of the meeting designated to receive public comment in accordance with this policy. At all other times during a Board meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer.

Public Comment

Regular Meetings

At regular Board meetings, the Board shall permit public comment, regardless of whether the topic is an item on the agenda posted with notice of the meeting.

Special Meetings

At all other Board meetings, public comment shall be limited to items on the agenda posted with notice of the meeting.

Procedures

Individuals who wish to participate in public comment or public testimony during the portion of the meeting designated for public comment shall sign up with the presiding officer or designee before the meeting begins as specified in the Board's procedures on public comment ~~and shall indicate the agenda item or topic on which they wish to address the Board.~~.

Public comment shall occur at the beginning of the meeting.

Except as permitted by this policy and the Board's procedures, an individual's comments to the Board shall not exceed five minutes per meeting.

Meeting Management

When necessary for effective meeting management or to accommodate large numbers of individuals wishing to address the Board, the presiding officer may make adjustments to public comment procedures, including:

- Adjusting when public comment will occur during the meeting;
- Reordering agenda items;
- Deferring public comment on nonagenda items; and
- Continuing agenda items to a later meeting.

However, public comment on agenda items shall not be moved after the agenda items have been heard.

Board's Response

Specific factual information or recitation of existing policy may be furnished in response to inquiries, but the Board shall not deliberate or decide regarding any subject that is not included on the agenda posted with notice of the meeting.

Complaints and Concerns

The Board shall hear the complaint or concern and refer the individual to the appropriate policy (see list below) to seek resolution:

- Employee complaints: DGBA
- Student complaints: FLD
- Public complaints: GB

Disruption

The Board shall not tolerate disruption of the meeting by members of the audience. If, after at least one warning from the presiding officer, any individual continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the individual removed from the meeting.

Within the context of current law, the College District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Organization

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the College District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

At each policy code, the legally referenced policy and the Board-adopted local policy must be read together to further a full understanding of a topic.

Terms

The terms “Trustee” and “Board member” are used interchangeably in the local policy manual. Both terms are intended to reflect all the duties and obligations of the office.

[See AB for College District name terminology]

Harmony with Law

Newly enacted law is applicable when effective. No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Severability

If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application. To this end, the provisions of this policy manual are declared to be severable.

Policy Development

Policies and policy amendments may be initiated by the College President, Board members, College District personnel, students, or community citizens but generally shall be recommended for the Board’s consideration by the College President.

Adoption and Amendment

Local policies may be adopted or amended by a majority of the Board at any regular or special meeting, provided that Board members have had advance written notice of the proposed change and that it has been placed on the agenda for such meeting.

Local policies shall become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

Legally referenced policies are not adopted by the Board.

Official Policy Manual

The Board shall designate one copy of the local policy manual as the official policy manual of the College District. The official copy shall be kept in the central administration office, and the College President shall be responsible for its accuracy and integrity and

shall maintain a historical record of the College District's policy manual.

TASB Localized Updates	After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the College District. If discrepancies occur between different copies of the manual, the version contained in the official policy manual shall be regarded as authoritative.
Non-substantive Changes	The College President or designee may approve non-substantive changes or insignificant changes to any portion of a (LOCAL) policy, so long as such the change does not alter the purpose, intent, or application of the policy. Non-substantive changes will be limited to changes made to correct spelling, grammatical errors, update titles, names, or other contact information for individuals or departments assigned to carry out the responsibilities of a particular policy.

MANUAL OF POLICY

Title	**Board Policies**	**1700**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Policy Initiation, Development & Review
Policies shall be reviewed by the Board as necessary for the operation of the College. Policies and policy changes may be suggested by the Trustees, the President, faculty, employees or citizens within the community.

Repeal and Amendment
Through the adoption of these policies, all previously adopted policies may be repealed or amended and repealed and be of no force or effect if in conflict with these other adopted policies. Any amendment of or addition to these policies shall repeal any conflicting policies.

Official Policy Manual
The board shall designate one copy of the policy manual as the official policy manual of the College. The official copy shall be kept in the President's office, and the President or designee shall be responsible for its accuracy and currency. If discrepancies occur between different copies of the manual distributed throughout the College, the version contained in the official policy manual shall be regarded as authoritative.

Harmony with Law
No policy or regulation, nor any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Retire

MANUAL OF POLICY

Title	**Developing, Recommending, and Implementing Policy**	**2300**
Legal Authority	**Approval of the Board of Trustees**	
Date Approved by Board	**Board Minute Order dated November 9, 1995**	

The Board of Trustees has the responsibility for formulating policy for the operation of the College.

As Chief Executive Officer of the College, the College President is charged with the duties and responsibilities of developing, revising, recommending to the Board, and implementing Board policy.

Before developing and implementing policy, the College President will seek advice and recommendations through the administrative structures where such policies have an impact.

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

Retire

Qualifications

The College President shall have an earned doctoral degree from a regionally accredited university with a minimum of five years executive level administrative experience in higher education, preferably at a community college, as well as demonstrated quality of interpersonal and leadership skills, and the ability to work effectively with all aspects of the College District's internal and external community.

Duties

The College President is the chief executive officer of the College District and shall faithfully perform the duties of College President for the College District as are customary and may be assigned by the Board.

Delegation

To the extent permitted by law, the College President may delegate responsibilities to other employees of the College District but shall remain accountable to the Board for the performance of all duties, delegated or otherwise.

Title	**Authority & Functions of the College President**	**1010**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As amended by Board Minute Order Dated February 19, 2004** **As amended by Board Minute Order Dated June 24, 2004**	

The President of the College serves as the chief executive officer of the College and at no time can the President while employed by the College serve as a member or chair of the Board. The Board hires the President to have the ability and experience to administer the College and to promulgate rules, procedures and guidelines necessary to implement the Board's policies for the governance of the College, consistent with all applicable laws. The Board delegates to the President of the College the function of implementing policy decisions and designating the detailed arrangements under which the College will be operated. Before implementing Board policies, the President may seek the advice and recommendation of other College administrators, committees, and faculty as deemed advisable by the President. The President may recommend policies or changes in policies to the Board.

Retire

MANUAL OF POLICY

Title	**Duties and Responsibilities of the President**	**2100**
Legal Authority	**Approval of the Board of Trustees**	
Date Approved by Board	**Board Minute Order dated November 9, 1995** **As Amended by Board Minute Order dated March 11, 1999**	

The President is the Chief Executive Officer of South Texas College and shall faithfully perform the duties of President for the College as are customary and may be assigned by the Board, including but not limited to the following:

1. Perform the overall management of the College in accordance with local, state and federal regulations and local needs;

2. Establish and maintain necessary standards of performance;

3. Provide accurate and timely reports as specified by the Board of Trustees or as required by statute or regulatory authorities;

4. Coordinate the responsibilities and assignments of the College staff for effective management;

5. Keep the Board informed of applicable laws, rules and regulations that affect the College;

6. Recommend policies on organization, finance, programs, personnel and all other functions of the College;

7. Coordinate compliance with criteria, conditions of eligibility, reaffirmation and accreditation processes with Southern Association of Colleges and Schools;

8. Enforce, administer and interpret the College's policies and administer the College according to such policies; and

9. Communicate with the College's attorney on legal matters except as otherwise directed by the Board of Trustees.

The President shall comply with all Board directives, state and federal law, policies and procedures of the Colleges as they exist or may hereinafter be adopted or amended.

Retire

MANUAL OF POLICY

Title	**Qualifications of the President**	**2110**
Legal Authority	**Approval of the Board of Trustees**	
Date Approved by Board	**Board Minute Order dated November 9, 1995**	

The President shall have an earned doctoral degree from a regionally accredited university with a minimum of 5 years executive level administrative experience in higher education, preferably at a community college, as well as demonstrated quality of interpersonal and leadership skills, and the ability to work effectively with all aspects of the College's internal and external community.

Retire

Resignation The College President may resign at any time mutually agreeable with the Board.

MANUAL OF POLICY

Title	**Retirement or Resignation of the President**	**2160**
Legal Authority	**Approval of the Board of Trustees**	
Date Approved by Board	**Board Minute Order dated November 9, 1995**	

The President may resign or retire at any time mutually agreeable with the Board.

Retire

MANUAL OF POLICY

Title	**Relationship Between Board and President**	**1011**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

It is important that the Board maintain a harmonious and respectful relationship with the College President and staff. In view of the vital nature of this relationship, the following guidelines are adopted for this Board and the President. The Board and the President recognize:

1. Teamwork is a necessity. Individual prestige and possible gain must be subordinate to the general welfare of the College and its students. A clear delineation of function between the Board and the President must be maintained.

2. Tolerance for differences of opinion among Trustees and between the Board and the President, and willingness to resolve such differences objectively, must be clearly and continuously displayed.

3. The President shall keep the Board well-informed on programs, plans and progress through staff reports and other means of choice.

Retire

Title	**Qualifications for Service as Trustee**	**1200**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

A person seeking election as a Trustee must be a resident of the Single-Member District for which he seeks election. A Trustee must be a resident of the Single-Member District from which he was elected throughout the term of office. A Trustee who ceases to reside in the District vacates his or her office. A Trustee must be a qualified voter.

Retire

MANUAL OF POLICY

Title	**Resignation of Trustee**	**1210**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

A Trustee's resignation must be in writing, signed by the Trustee, and delivered to the Board for action on the resignation. The Board may not refuse to accept a resignation.

The resignation shall be effective as set out in the notice of resignation or as approved by the Board.

Retire

Title	**Vacancy on the Board of Trustees**	**1220**
Legal Authority	**Approval of the Board of Trustees**	**Page 1 of 1**
Date Approved by Board	**Board Minute Order Dated September 14, 1995** **As Amended by Board Minute Order Dated July 15, 2004** **As Amended by Board Minute Order Dated August 27, 2019**	

I. Purpose

The purpose of the policy is to provide the process for filling a vacancy on the South Texas College Board of Trustees.

II. Policy

A vacancy shall occur in the manner and as of the dates set by statute.

Any vacancy occurring on the Board shall be filled by appointment made by the remaining members of the Board.

When a vacancy occurs on the Board, the Board shall announce the vacancy through the news media. The Board, in its discretion, also may announce the vacancy to other individuals and organizations that it feels may have an interest in the vacancy. The announcement shall specify the vacancy is to be filled by appointment. Any person desiring appointment to fill a vacancy shall submit a resume to the Board Chair within the time frame as set by the Board. The Board may request additional documentation and interview candidates, as it deems advisable. However, the act of accepting resumes and interviewing candidates shall not require the Board of Trustees to fill a vacancy from within that pool of candidates.

The person appointed to fill an unexpired term must meet the requirements for serving as a Trustee, as specified herein, including residency requirements.

III. History

Origination Date Approved by Board:
September 14, 1995

Date Amended and Approved by Board:
July 15, 2004
August 27, 2019

Retire

MANUAL OF POLICY

Title	**Removal from Office**	**1230**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As Amended by Board Minute Order dated March 18, 2004**	

A Trustee may be removed from Board membership for incompetency, official misconduct, or other grounds provided by law. An action for the removal of a Trustee must be conducted in accordance with statutory requirements.

Retire

Title	**Trustee Duty to Disclose Substantial Interests in A Business Entity or in Real Estate; Disclosure Requirements and Abstention**	**1511**
Legal Authority	**Approval of the Board of Trustees**	**Page 1 of 4**
Date Approved by Board	**Board Minute Order Dated July 27, 1995** **As Amended by Board Minute Order Dated July 15, 2004** **As Amended by Board Minute Order Dated February 20, 2014**	

Introduction

Chapter 171 of the Texas Local Government Code prohibits certain actions by, and imposes certain obligations on, College Trustees under circumstances in which a Trustee has a Substantial Interest in a matter pending before the Board of Trustees of the College. Violation of the conduct proscribed by state law may result in a criminal offense. The policies contained herein are based on the cited statutory sources and are intended as guidance on the conflict provisions of state law. A Trustee is advised that compliance with state law is an obligation and reliance on legal counsel is advised.

1.0 DEFINITIONS. The following definitions apply to this policy.

Benefit: "Benefit" means anything reasonably regarded as pecuniary gain or pecuniary advantage.

Entity: "Entity" means a person, sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.

Deliberation: "Deliberation" by the Board of Trustees refers to the exchange of information and opinions at formal or called meetings of the Board of Trustees.

Immediate Family: "Immediate Family" means persons connected a Trustee by ties of consanguinity (blood) to the third degree or affinity (marriage) to the second degree.

Consanguinity (Relationship by Blood)

First Degree	Second Degree	Third Degree
Father	Grandfather	Great-Grandfather
Mother	Grandmother	Great-Grandmother
Daughter	Granddaughter	Great-Granddaughter
Son	Grandson	Great-Grandson
	Sister	Aunt/Uncle
	Brother	Nephew/Niece

Affinity (Relationship by Marriage)

First Degree	Second Degree
Father	Spouse's Grandfather
Mother	Spouse's Grandmother

Retire

Daughter	Spouse's Granddaughter
Son	Spouse's Grandson
	Spouse's Sister
	Spouse's Brother

Substantial Interest: "Substantial interest" means:

(a) with respect to a Business Entity, if the person owns at least:

(1) ten (10) percent of the voting stock or shares of the Business Entity; or

(2) owns ten (10) percent or more or owns $15,000 or more, of the fair market value of the Business Entity; or

(3) funds received by the person from the Business Entity exceed ten (10) percent of the persons's gross income for the previous year; or

(b) with respect to Real Property, if Trustee has an equitable or legal ownership in the Real Property with a fair market value of $2,500.00 or more; or

(c) Trustee is related to a person in the first degree by either affinity or consanguinity who has a Substantial Interest.

2.0 Compliance with the Policy.

2.1. Determining Existence of Substantial Interest: It is a Trustee's obligation to determine whether he or she has a Substantial Interest.

2.2. Duty to Disclose and To Abstain. A Trustee having a Substantial Interest involving a matter under consideration before the Board of Trustees shall do the following:

(a) Disclosure. Shall disclose, prior to the vote on the matter, by affidavit, the nature and extent of the interest thereof.

(b) Abstention: Shall abstain from voting on or in any other way deliberating on the matter *if* the action to be taken on the matter will have a special economic effect on that Business Entity or *if* it is reasonably foreseeable that action on the matter will have a special economic effect on the value of the Real Property, distinguishable from its effect on the public. All such abstentions shall be recorded in the minutes of the Board meeting. The Trustee's abstention shall be noted in the minutes of the meeting

2.3 Separate Vote Required. The Board of Trustees shall take a separate record vote on any matter specifically dedicated to a contract with a Business Entity in which a Trustee has given notice of a Substantial Interest.

2.4 Bank Relations: A Trustee who is a stockholder, officer, board member, or employee of a bank that has bid to become a depository for the College shall not vote on the award of the depository contract to said bank.

Retire

2.5 Disclosure Affidavit: The Disclosure shall be in the following form.

COUNTY OF HIDALGO §
STATE OF TEXAS § **A F F I D A V I T**

BEFORE ME, the undersigned Notary Public in and for the State of Texas, on this day personally appeared_____, known to me to be the person whose name is subscribed hereto, who being first duly sworn in the manner provided by law, on oath stated as follows:

"My name is_____, and I am over the age of 18 years and competent to make this affidavit."

"I am a duly elected member of the Board of Trustees of the South Texas College, County of Hidalgo, Texas."

"I have a substantial interest in the following business entity: _____ (hereinafter the "business entity")."

"The nature of my interest in the business entity is as follows: (I) (my father) (my mother) (my son) (my daughter) (my spouse) (my son-in-law) (my daughter-in-law) (my father-in-law) (my mother-in-law)

____ own 10 percent or more of the voting stock or shares of the business entity named herein.
____ own either 10 percent or more of the fair market value of the business entity.
____ own $15,000.00 or more of the fair market value of the business entity.
____ have received, in the previous year, funds from the business entity in excess of 10 percent of gross income.

"I have a substantial interest in the following described real property, because (I) (my father) (my mother) (my son) (my daughter) (my spouse) (my son-in-law) (my daughter-in-law) (my father-in-law) (my mother-in-law) have a legal or equitable ownership interest in the property with a fair market value of $2,500 or more:

Other**:**_____

_____

Affiant

SWORN TO AND SUBSCRIBED before me, the undersigned authority, by the said _____, on the_____day of_____,_____, to certify which witness my hand and seal of office.

_____
NOTARY PUBLIC, State of Texas
[S E A L] My commission expires:_____

Retire

3.0 Other Interest. If, in addition to or other than a substantial interest as defined herein, a Trustee has a personal, professional, or economic interest in a matter before the Board for action, the nature and extent of such interest shall be disclosed to the Board prior to any action taken by the Board on the matter.

Retire

Title	**Nepotism: Public Officials**	**1512**
Legal Authority	**Approval of the Board of Trustees**	**Page 1 of 2**
Date Approved by Board	**Board Minute Order dated November 26, 2019**	

I. Purpose

The purpose of this policy is to provide provisions regarding nepotism prohibition of public officials as defined by the consanguinity and affinity relationship.

II. Policy

A. Nepotism Prohibitions Applicable to Public Officials

As public officials, the members of the Board of Trustees and the College President are subject to the nepotism prohibitions of Chapter 573 of the Texas Government Code.

South Texas College shall not employ any person related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) to any member of the Board or the College President when the salary, fees, or compensation of the employee is paid from public funds or fees of office.

A nepotism prohibition is not applicable to the employment of an individual with the College if:

1) the individual is employed in the position immediately before the election or appointment of the public official to whom the individual is related in a prohibited degree; and

2) that prior employment of the individual is continuous for at least:

   a. 30 days, if the public official is appointed;

   b. six months, if the public official is elected at an election other than the general election for state and county officers; or

   c. one year, if the public official is elected at the general election for state and county officers.

If an individual whose employment is not subject to the nepotism prohibition continues in a position, the College President or the member of the Board of Trustees to whom the individual is related in a prohibited degree may not participate in any deliberation or voting on the employment, reemployment, change in status, compensation, or dismissal of the individual if that action applies only to the individual and is not taken regarding a bona fide class or category of employees.

Retire

B. Method of Computing Degree of Consanguinity and Affinity Relationship

The method of computing degrees of relationship is the civil law method, as follows:

CONSANGUINITY (blood relatives)
1st degree of consanguinity: parents or children (includes adopted children)
2nd degree of consanguinity: brother, sister, grandparents, or grandchildren
3rd degree of consanguinity: great grandparents, great-grandchild, aunt who is a sister of a parent of the individual, uncle who is a brother of a parent of the individual, nephew who is a child of a brother or sister of the individual, or niece who is a child of a brother or sister of the individual.

There is no distinction between half-blood and full-blood relations. Half-blood relations fall within the same degree as those of full-blood.

AFFINITY (relatives by marriage)
1st degree of affinity: spouse, mother-in-law, father-in-law, daughter-in-law, son-in-law, step-children while married to the stepchild's mother;
2nd degree of affinity: brother-in-law or sister-in-law (spouse's brother or sister; or brother or sister's spouse), spouse's grandparents, and step-grandchildren.

III. Key Accreditation Agency, Federal, and/or State Statutes

Pertinent Information

Chapter 573 of the Texas Government Code (Chapter 573) which governs Nepotism prohibitions is adapted to this policy. In the event of any conflict between this policy and Texas Government Code Chapter 573, the latter shall govern.

IV. History

Origination Date Approved by Board	November 26, 2019
Date Reviewed and Approved by Board	

Retire

Title	**Executive Sessions**	**1670**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Authorization of Executive Sessions
The Board may hold an executive session for the purposes allowed by law.

Entering Executive Sessions
The Board may enter into executive session after the following requirements have been met:

1. A quorum of the Board has first been convened in open meeting for which notice has been given;

2. The presiding officer during that open meeting has publicly announced that an executive session will be held; and

3. The presiding officer has identified the section or sections of the Texas Open Meetings Act under which the closed meeting is held.

Actions, Decisions or Votes
No final action, decision, or vote shall be taken while the Board is in closed or executive session. The Board shall reconvene the open meeting after an executive session prior to adjourning the meeting.

Certified Agenda for Executive Sessions
For each executive session except consultations with its attorney pursuant to Section 551.071 of the Government Code, the Board shall keep a certified agenda of the proceeding. The presiding officer shall certify that the agenda is a true and correct record of the proceedings.

Retire

Title	**Executive Session Certified Agenda**	**1671**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

Sample form: Certified Agenda

SAMPLE - CERTIFIED AGENDA
[ON OFFICIAL LETTERHEAD]

CERTIFIED AGENDA FOR EXECUTIVE SESSION

I. The South Texas College Board of Trustees on _____ beginning at _____ p.m., recessed to Executive Session at _____ p.m. in accordance with the Texas Open Meetings Act to discuss legal, real estate and personnel matters.

II. Subjects discussed in the Executive Session:

1. Legal:
2. Real Estate:
3. Personnel: Agenda Item

III. The Board ended its Executive Session at _____ p.m. on _____.

IV. Record of further action taken, if any, on above items in the subsequent Open Session:

V. I hereby certify that the foregoing is a true and correct record of the proceedings on the above date.

_____
Presiding Official
Chairman of the Board
South Texas College

CONFIDENTIAL: This document is available to the public only upon the procurement of a court order as required by section 551.104 of the Texas Government Code.

Retire

Title	**Position on Legislative Matters**	**1800**
Legal Authority	**Approval by the Board of Trustees**	
Date Approved by Board	**Board Minute Order Dated July 27, 1995**	

The Board shall refrain from taking any position either for or against any local, state, or national legislative concern unless that concern is of special interest to the welfare of the College. Any such position shall be taken only by official vote of the Board in a regular or special meeting.

Retire