

South Texas College
Board of Trustees
Finance, Audit, and Human Resources Committee
Ann Richards Administration Building Board Room
Pecan Campus, McAllen, Texas
Tuesday, August 9, 2022 @ 4:30 p.m.

Agenda

“At anytime during the course of this meeting, the Board of Trustees may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Board of Trustees under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at anytime during the course of this meeting, the Board of Trustees may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.”

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- O-1. Adopt New Policy: BFA Chief Executive Officer Qualifications and Duties
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- O-3. Retire Current Policy #Policy 2100: Duties and Responsibilities of the President
- O-4. Retire Current Policy #Policy 2110: Qualifications of the President

- P-1. Adopt New Policy: BFD Chief Executive Officer – Retirement or Resignation
- P-2. Retire Current Policy #2160: Retirement or Resignation of the President

Policies Retired with No New Policy Adopted:

- Q-1. Retire Current Policy #1011: Relationship Between Board and President
- R-1. Retire Current Policy #1200: Qualifications for Service as Trustee
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Approval of July 12, 2022 Finance, Audit, and Human Resources Committee Minutes

The Minutes for the Finance, Audit, and Human Resources Committee Meeting of July 12, 2022 are presented for Committee approval.

**South Texas College
Board of Trustees
Finance, Audit, and Human Resources Committee
Ann Richards Administration Building Board Room
Pecan Campus, McAllen, Texas
Tuesday, July 12, 2022 @ 5:00 p.m.**

Minutes

The Finance, Audit, and Human Resources Committee Meeting was held on Tuesday, July 12, 2022 in the Ann Richards Administration Building Board Room at the Pecan Campus in McAllen, Texas. The meeting commenced at 5:30 p.m. with Mr. Rene Guajardo presiding.

Members present: Mr. Rene Guajardo, Dr. Alejo Salinas, Jr., and Mr. Paul R. Rodriguez

Other Trustees Present: Ms. Rose Benavidez and Mrs. Dalinda Gonzalez-Alcantar

Members absent: None

Also present: Dr. Ricardo J. Solis, Mrs. Mary Elizondo, Dr. David Plummer, Mr. Matthew Hebbard, Dr. Anahid Petrosian, Dr. Rodney Rodriguez, Mr. Javier Villalobos, Mrs. Rebecca Cavazos, Mrs. Myriam Lopez, Mr. George McCaleb, Mr. Rick De La Garza, Ms. Sara Lozano, Ms. Alicia Correa, Mr. Frank Jason Gutierrez, Mr. Ramon Montalvo, Mrs. Gardenia Perez, Mr. Chase Carlisle, and Mr. Andrew Fish.

**Approval of June 14, 2022 Finance, Audit, and Human Resources
Committee Minutes**

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Minutes for the Finance, Audit, and Human Resources Committee Meeting of June 14, 2022 were approved as written. The motion carried.

Review and Recommend Action on Award of Proposal for the Student / Faculty Medical Professional Liability Insurance, Voluntary Student Accident Insurance, Workforce Training Programs Student Accident Insurance, and Business, Public Safety & Technology Student Accident Insurance

Approval will be requested at the July 26, 2022 Board meeting to award the student insurance proposal for Student / Faculty Medical Professional Liability Insurance, Voluntary Student Accident Insurance, Workforce Training Programs Student Accident Insurance and Business, Public Safety & Technology Student Accident Insurance.

Purpose - The basic purpose of the student insurances were as follows:

- Student / Faculty Medical Professional Liability Insurance - provides coverage for those students enrolled in the Nursing Allied Health and Child Development Programs as well as associated Faculty
- Voluntary Student Accident Insurance – provides students with a low-cost option for accident insurance
- Workforce Training Programs Student Accident Insurance – provides coverage for those students enrolled in the Continuing Education Training Programs
- Business, Public Safety & Technology Student Accident Insurance – provides coverage for those students enrolled in the Business, Public Safety & Technology programs.

Justification - Every year, the College requests proposals for an insurance program that provides the broadest coverage at the most competitive price available in accord with approved or acceptable insurance practices in the State of Texas.

The College's Insurance Consultant, Mr. Chase Carlisle, attended the July 12, 2022 Finance, Audit, and Human Resources Committee by teleconference meeting to address questions from the Committee. Mr. Carlisle recommended the following awards:

- **Student / Faculty Medical Professional Liability Insurance:**
Affinity Insurance Services, Inc. / American Casualty Company of Reading, PA for the period beginning August 26, 2022 through August 26, 2023. The premium is \$23,750 which is approximately \$10 per student. The recommendation is based on 2,375 students with limits of \$1,000,000 per occurrence / \$5,000,000 aggregate. **The cost for the Medical Professional Liability Insurance is paid by the students enrolled in the Nursing Allied Health and Child Development**

programs. The College and Faculty are insured parties at no additional cost to the student or to the College.

- The cost per student (\$10) is the same as the year prior.
- The carrier remains unchanged from the year prior.
- Students enrolled in the Nursing Allied Health and Child Development programs are automatically enrolled for this coverage.

- **Voluntary Student Accident Insurance:**

Student Insurance Plans / Pan American Life Insurance for the period beginning August 26, 2022 through August 26, 2023. The student accident insurance limit is \$25,000. **This is a voluntary product, so there is no cost to the College (same as year prior).**

- The carrier is different from the year prior.
- Should a student elect to purchase this voluntary coverage, the costs to him/her would be as follows (costs are same as year prior):
 - \$71.25 for school time coverage
 - \$152.00 for full time (24 hour) coverage
 - \$8.55 for dental coverage

- **Workforce Training Programs Student Accident Insurance:**

Student Insurance Plans / Pan American Life Insurance for the period beginning August 26, 2022 through August 26, 2023. The student accident insurance coverage limit is \$25,000. The annual premium is \$2,700 and includes all participants. The Workforce Training premium is based on 496 participants. These participants are enrolled in non-credit Continuing Education Training Programs such as Phlebotomy, Welding, Emergency Care Assistant, and Building Trades. **The premium is paid by the students.**

- The premium is the same as the year prior.
- The carrier is different from the year prior.
- The premium is \$2,700 based on an *estimated* 496 participants (approximately \$5.06 per student) in the workforce training programs. Actual cost per student will be determined once enrollment numbers are received.
- Participants in non-credit Continuing Education Training Programs are automatically enrolled for this coverage.

- **Business, Public Safety & Technology Student Accident Insurance:**

Student Insurance Plans / Pan American Life Insurance for the period beginning August 26, 2022 through August 26, 2023. The student accident insurance coverage limit is \$25,000. The annual premium is \$15 per student and is based on 1,833 participants. Participants are enrolled in Business, Public Safety & Technology programs. The premium is paid by the students.

- This is a new line of coverage for students enrolled in Business, Public Safety & Technology programs
- Students in Business, Public Safety & Technology programs are automatically enrolled for this coverage.

Background – Proposal documents were advertised on April 20, 2022 and April 27, 2022 and issued to nine (9) vendors. Three (3) responses were received on May 5, 2022 and were evaluated by Mr. Chase Carlisle, Insurance Consultant.

Reviewers – This item was reviewed by Mr. Chase Carlisle, Insurance Consultant, Mrs. Mary Elizondo, Vice President for Finance and Administrative Services, Mr. Frank Jason Gutierrez, Director of Accountability, Risk, and Compliance, Mr. Ken Lyons, Risk Manager, and Rebecca Cavazos, Director of Purchasing.

Enclosed Documents - The recommendations provided by Mr. Chase Carlisle were outlined in the packet for the Committee's information and review.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Finance, Audit, and Human Resources Committee recommended Board approval of the proposal awards for Student / Faculty Medical Professional Liability Insurance, Voluntary Student Accident Insurance, Workforce Training Programs Student Accident Insurance, and Business, Public Safety & Technology Student Accident Insurance as recommended by the consultant. The motion carried.

Review and Recommend Action on Award of Proposals for Property / Inland Marine / Boiler & Machinery, Crime, School Leaders E&O, General Liability, Law Enforcement Liability, Automobile, Workers Compensation, Foreign Liability, and Reject Proposal for Cyber Liability Insurance

Approval will be requested at the July 26, 2022 Board meeting to award the proposals for Property / Inland Marine / Boiler & Machinery, Crime, School Leaders E&O, General Liability, Law Enforcement Liability, Automobile, Workers Compensation, Foreign Liability, and reject proposal for Cyber Liability Insurance for the period beginning September 1, 2022 through August 31, 2023 at a total cost of **\$1,608,080**.

Purpose - The purpose of insurance is to anticipate catastrophic losses that could financially impair South Texas College. Insurance allows the College to minimize risk of loss from circumstances beyond its control.

Justification - Every year, prior to fiscal year end, the College requests proposals for an insurance program that provides the broadest coverage at the most competitive price available in accordance with approved or acceptable insurance practices in the State of Texas.

The College’s Insurance Consultant, Mr. Chase Carlisle, attended the July 12, 2022 Finance, Audit, and Human Resources Committee by teleconference meeting to address questions from the Committee. Mr. Carlisle recommended the following awards:

- **Property / Inland Marine / Boiler & Machinery**

- ⇒ Request award of Property / Inland Marine / Boiler & Machinery Insurance coverage to The Hartford Fire Insurance Co. (Montalvo) at a total cost of **\$1,098,386**. The policy offers a 5% wind/hail deductible.
- ⇒ Flood insurance is included with a deductible of \$100,000 for Zones X and C and \$500,000 for Zone B. The deductible applies per occurrence and not per building.
- ⇒ The proposed premium of \$1,098,386 represents an increase of 7.9% from the prior year which is considered in line with the current marketplace.
- ⇒ The carrier remains unchanged from the prior year.

- **Crime Insurance**

- ⇒ Request award of Crime Insurance coverage to The Hartford Fire Insurance Co. (Montalvo) at a cost of **\$7,988**.
- ⇒ The proposed premium of \$7,988 represents a decrease of 6.9% from the prior year.
- ⇒ The carrier is different from the prior year.

- **School Leaders E&O, General Liability, Law Enforcement Liability, Automobile**

⇒ The College’s exposure is shown in the table below:

	Liability Exposure
State	Sovereign immunity except for injuries arising out of operation of motor vehicles. Limits: \$100,000 / \$300,000.
Federal	Claims arising under US Constitution and federal statutes (covered under trustee coverage) No limits.

⇒ Under state law, the College is immune from liability except for injuries arising from a motor vehicle accident (\$100,000 per person / \$300,000 per accident). Under Federal Law, the College has exposure under Section 1983 Clauses of Action (Civil Rights Statute); there is theoretically no limit of liability. Though there is no ceiling under civil rights cases, given the College’s comprehensive practices and procedures to avoid

liability, reduce risk, and the experience of the College with these cases, the primary purpose is first to ensure the College has competent legal defense and coverage is within limits. Based on the College's claim history, a \$250,000 limit policy would be reasonable and sufficient coverage.

- ⇒ School Leaders E&O, General Liability, Law Enforcement Liability, Automobile Insurance to Texas Association of School Boards (TASB) at a cost of **\$224,806**.
- ⇒ The proposed premium of \$224,806 represents an increase of 1.4% from the prior year.
- ⇒ The TASB proposal is contingent upon concurrent participation in the Auto, Liability and Workers Compensation programs proposed.
- ⇒ The carrier remains unchanged from the prior year.

- **Workers Compensation Insurance**

- ⇒ Workers Compensation Insurance to Texas Association of School Boards (TASB) at a total cost of **\$268,699**.
- ⇒ The proposed premium of \$268,699 represents a decrease of 1.8% from the prior year.
- ⇒ The carrier remains unchanged from the prior year.

- **Foreign Liability Insurance**

- ⇒ Foreign Liability Insurance to ACE American Insurance Co. (Montalvo) at a total cost of **\$8,201**.
- ⇒ Due to employee travel to Mexico, the purchase of an international insurance policy is recommended.
- ⇒ Foreign Liability Insurance provides General Liability, Auto, Accidental Death & Dismemberment, and Property coverage in specific countries for employees during the normal scope of business, College-owned vehicles, vehicles leased by South Texas College, and equipment. General Liability includes the following limits:
 - \$1,000,000 Each occurrence
 - \$2,000,000 General aggregate
 - \$2,000,000 Products-completed operations aggregate
 - \$1,000,000 Personal and advertising injury
 - \$1,000,000 Damage to premises rented to South Texas College
 - \$25,000 Medical expenses (any one person)

⇒ The proposed premium of \$8,201 represents no increase from the prior year.

⇒ The carrier remains unchanged from the prior year.

- **Cyber Liability Insurance**

⇒ One proposal was received for Cyber Liability Insurance from Texas Association of School Boards (TASB). TASB offered \$1,000,000 of coverage however per the Insurance Consultant, this is not a sufficient limit for the College in today’s world. It is requested that this proposal be rejected.

⇒ As such, College staff will work with the Insurance Consultant to solicit a new request for proposal for Cyber Liability Insurance which will be presented at the August 23, 2022 Board of Trustees Meeting.

The total recommended award to Montalvo is **\$1,114,575**. The total recommended award to TASB is **\$493,505**.

	TASB	Montalvo
Property / Inland Marine and Boiler & Machinery		\$1,098,386
Crime		\$7,988
School Leaders E&O, General Liability, Law Enforcement	\$162,128	
Automobile	\$62,678	
Workers Compensation	\$268,699	
Foreign Liability		\$8,201
TOTAL	\$493,505	\$1,114,575
Grand Total	\$1,608,080	

Background – Proposal documents were advertised on May 4, 2022 and May 11, 2022 and issued to thirteen (13) vendors. Three (3) responses were received on June 8, 2022 and were evaluated by Mr. Chase Carlisle, Insurance Consultant, Accountability, Risk and Compliance, and the Purchasing Department.

Funding Source - Funds for this expenditure were budgeted in the Insurance and Benefits budgets for FY 2022 - 2023, pending Board approval of the budget.

Reviewers – This item was reviewed by Mr. Chase Carlisle, Insurance Consultant, Mrs. Mary Elizondo, Vice President for Finance and Administrative Services, Mr. Frank Jason Gutierrez, Director of Accountability, Risk, and Compliance, Mr. Ken Lyons, Risk Manager, and Rebecca Cavazos, Director of Purchasing.

Enclosed Documents – The recommendations and spreadsheets provided by Mr. Chase Carlisle were included in the packet for the Committee’s information and review.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Finance, Audit, and Human Resources Committee recommended Board approval to award the proposals for Property / Inland Marine / Boiler & Machinery (\$1,098,386), Crime (\$7,988), School Leaders E&O, General Liability, Law Enforcement Liability, Automobile (\$224,806), Workers Compensation (\$268,699), and Foreign Liability (\$8,201) Insurance for the period September 1, 2022 through August 31, 2023 at a total cost of **\$1,608,080** and reject the proposal for Cyber Liability Insurance. The motion carried.

Review and Action as Necessary on Award of Proposals, Purchases, Renewals, and Interlocal Agreements

Approval of the following award of proposals, purchases, renewals, and interlocal agreements will be requested at the July 26, 2022 Board meeting.

The Director of Purchasing has reviewed each item, including the procurement procedures and evaluation of all responses, and recommended approval as follows:

Upon a motion by Dr. Alejo Salinas, Jr. and a second by Mr. Rene Guajardo, the Finance, Audit, and Human Resources Committee recommended Board approval of the award of proposals, purchases, renewals, and interlocal agreements as listed below:

A. Award of Proposals

- 1) **Childcare Services (Award):** award the proposal for childcare services for the period beginning September 1, 2022 through August 31, 2023, at an estimated total Carl Perkins Grant amount of \$105,500.00. The fifty-six (56) qualifying vendors are as follows:

Vendors (City, State)		
Angel Keepers (Alamo, TX) (New)	Blessings Learning Academy of Alamo, TX, Inc. (Alamo, TX)	iKids Academy (Alamo, TX)
Kids Point Academy (Alamo, TX) (New)	Kid’z First Child Care Center, Inc. #2 (Alton, TX)	Garza’s Childcare and Development Center (Donna, TX)
Stepping Stones Day Care II (Donna, TX)	All About Kids Learning Center, LLC. (Edcouch, TX) (New)	Alma’s Daycare Center (Edinburg, TX) (New)

Vendors (City, State)		
Brighter Future Learning Center (Edinburg, TX)	Genesis Learning Center (Edinburg, TX)	My Little Tree House Learning Center (Edinburg, TX) (New)
The Children’s College Learning Center (Edinburg, TX)	TCCLC North, Inc. (Edinburg, TX)	The Learning Journey Day School (Edinburg, TX)
VIP Learning Center (Edinburg, TX)	Bright Smiles Learning Center (Elsa, TX) (New)	Busy Bee Beehive Learning Center, LLC. (Elsa, TX)
Adventureland Academy #2, LLC. (McAllen, TX) (New)	Brackenridge Children’s Center, LLC. (McAllen, TX)	Bright Beginnings (McAllen, TX)
Easter Seals Child Development (McAllen, TX)	Little Rockets Academy (McAllen, TX) (New)	Little Shining Star Daycare, Inc. (McAllen, TX)
Magic Child Development Daycare (McAllen, TX) (New)	MommyLand Bilingual Academy (McAllen, TX)	The Giving Tree S.T.E.M. Childcare, LLC. (McAllen, TX) (New)
Tony’s Playhouse Discovery Center (McAllen, TX)	City Kids Academy (Mercedes, TX) (New)	Tiny Steps Learning Center (Mercedes, TX) (New)
Bright Beginnings Learning Center (Mission, TX)	His Little Ones Preschool and Daycare, LLC. (Mission, TX) (New)	Honey’s Little Bee’s Learning Center (Mission, TX)
Kidz Crusade Academy, LLC. (Mission, TX)	Little Lobos Daycare (Mission, TX) (New)	Little World Daycare and Learning Center, LLC. (Mission, TX) (New)
Love Bugs CEC (Mission, TX)	Martha A. Garcia Registered Childcare (Mission, TX)	Ready, Set, and Learn Daycare (Mission, TX)
Children’s Garden Daycare (Palmview, TX)	Fisher Kids Academy (Palmview, TX)	Lily’s Little Kids (Palmview, TX)
Palmview Academy (Palmview, TX) (New)	Campanitas Day Care (Pharr, TX)	Evelyn N.K. Sackey-Walker (Pharr, TX) (New)
Futuros Lideres Learning Center (Pharr, TX)	Kids Academy Daycare (Pharr, TX)	Kids Academy Daycare Center #2 (Pharr, TX)
Little Explorers Development & Learning Center (Pharr, TX) (New)	Little Treasures Learning Center, LLC. (Pharr, TX) (New)	Royal Education Center (Pharr, TX)

Vendors (City, State)		
Kami's Cuddling Center (Rio Grande City, TX)	Learning Zone (Rio Grande City, TX)	Learning Zone II (Rio Grande City, TX)
El Shaddi International Christian Day Care Center (Weslaco, TX)	Little Miracles Learning Center, LLC. (Weslaco, TX)	

- 2) **General Purpose Printing (Award):** award the proposal for general purpose printing for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$100,000.00, which is based on prior year expenditures. The vendors are as follows:

Vendor	Vendor
Border Press, Inc. (Brownsville, TX)	Capital Spectrum/ dba Communications Specialist, Inc. (Buda, TX)
Copy Craft/ dba Slate Group (Lubbock, TX) (New)	Copy Plus, LLC. (McAllen, TX)
FedEx Office and Print Services, Inc. (Plano, TX)	Gateway Printing (Edinburg, TX)
Promo Universal, LLC. (Corpus Christi, TX)	San Antonio Printing (McAllen, TX)
Taylor Print and Visual Impressions, Inc. (North Mankato, MN)	UBEO, LLC./ dba Copy Zone (McAllen, TX)

- 3) **Travel Services (Award):** award the proposal for travel services to **Echo Travel Agency** (Edinburg, TX), for the period beginning September 1, 2022 through August 31, 2023, with two one-year options to renew, at a service fee of \$35.00 per airline ticket;

B. Purchases and Renewals (B-a. Instructional Item)

- 4) **Welding Gases, Metals, and Supplies (Renewal):** renew the welding gases, metals, and supplies contracts for the period beginning October 1, 2022 through September 30, 2023, at an estimated total amount of \$130,000.00, which is based on prior year expenditures. The vendors are as follows:

Vendor	Vendor
Fastenal Company (McAllen, TX)	Industrial Supplier Larey, Inc./ dba International Industrial Supply, Co. (Brownsville, TX)
Matheson (San Benito, TX)	Praxair Distribution, Inc. (McAllen, TX)
Rio Grande CAS (Edinburg, TX)	Rio Grande Steel (Edinburg, TX)

Triple-S Steel Supply, LLC./ dba Alamo Iron Works (San Antonio, TX)	
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B. Purchases and Renewals (B-b. Non-Instructional Items)

- 5) Air Condition Filters and Installation (Purchase):** purchase air condition filters and installation from **Joe W. Fly Company, Inc.** (Dallas, TX/Harlingen, TX), a Texas Association of School Boards – Buyboard and The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated total monthly amount of \$14,166.00 and an estimated total amount of \$169,992.00, which is based on prior year expenditures;
- 6) Building Automation Control Equipment, Parts, and Equipment Maintenance (Purchase):** purchase building automation control equipment, parts, and equipment maintenance from **Siemens Industry, Inc.** (Buffalo Grove, IL/La Feria, TX), a Sourcewell and The Interlocal Purchasing System (TIPS) purchasing cooperative approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$95,000.00, which is based on prior year expenditures;
- 7) Chiller Chemicals and Maintenance (Purchase):** purchase chiller chemicals and maintenance from **Kurita America, Inc.** (Minneapolis, MN), a State of Texas Purchasing and Support Services (TPASS) – Term Contract approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$87,000.00, which is based on prior year expenditures;
- 8) Heating, Ventilation, and Air Conditioning (HVAC) Related Services (Purchase):** purchase heating ventilation, and air conditioning (HVAC) related services from **Pro Tech Mechanical, Inc.** (Corpus Christi, TX), The Interlocal Purchasing System (TIPS) purchasing cooperative approved vendor, for the period beginning August 26, 2022 through August 25, 2023, at an estimated total amount of \$50,000.00, which is based on prior year expenditures;
- 9) Library Furniture Upholstery Services (Purchase):** purchase library furniture upholstery and repair services from **Library Design Systems, Inc.** (Houston, TX), a Texas Association of School Boards – Buyboard approved vendor, for the period beginning August 1, 2022 through July 31, 2023, at an estimated amount of \$50,000.00;
- 10) Parts and Supplies (Purchase):** purchase parts and supplies from **W. W. Grainger, Inc. / dba Grainger** (Austin, TX/McAllen, TX), a State of Texas Multiple Award Schedule (TXMAS), Sourcewell, and the Texas Association of School Boards – Buyboard purchasing cooperative approved vendor, for the period beginning September 1, 2022 and August 31, 2023, at an estimated total amount of \$120,000.00, which is based on prior year expenditures;
- 11) Public Adjuster Services Agreement (Purchase):** purchase a public adjuster services agreement with **The Beneke Company Adjusters International** (Austin,

TX) (New), a sole source vendor, for the period beginning August 1, 2022 through December 31, 2022, at an estimated total amount of \$50,000.00;

12)Commercial Card Services (Accounts Payable Card) (Renewal): renew the commercial card services (accounts payable card) contract with **PNC Bank** (McAllen, TX), for the period beginning September 1, 2022 through August 31, 2023, at no charge to the College;

13)Elevator Maintenance Agreement (Renewal): renew the elevator maintenance agreement with **Otis Elevator Company** (Dallas, TX), a Texas Association of School Boards – Buyboard purchasing cooperative approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$100,000.00, which is based on prior year expenditures;

14)Office Supplies (Renewal): renew the office supplies contracts for the period beginning October 1, 2022 through September 30, 2023, at an estimated total amount of \$300,000.00, which is based on prior year expenditures. The vendors are as follows:

Primary:	Gateway Printing and Office Supplies, Inc. (Edinburg, TX)
Secondary:	Copy Plus, LLC. (McAllen, TX)

B. Purchases and Renewals (B-c. Technology Items)

15)Online Digital Portfolio Application (Purchase): purchase an online digital portfolio application from **MeshNet, Inc./ dba MeshNet Licensing, Inc.** (Philadelphia, PA) (New), a sole source vendor, for the period beginning August 1, 2022 through July 31, 2025, at a total amount of \$137,500.00. The annual payments are as follows: Year 1: \$49,500.00, Year 2: \$44,500.00, and Year 3: \$43,500.00;

16)Service for Mobile Devices (Renewal): renew the service for mobile devices with **AT&T Mobility, LLC.** (Carol Stream, IL), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through December 31, 2022, at an estimated total amount of \$52,480.00;

17)Syllabus Management Software (Renewal): renew the syllabus management software agreement with **Intellidemia, Inc.** (New York, NY), for the period beginning October 1, 2022 through September 30, 2023, at a total amount of \$21,000.00;

C. Interlocal Agreements

18)Professional Development Services (Interlocal Agreement/Renewal): renew the professional development services with **Region One Education Service Center** (Edinburg, TX), through an interlocal agreement, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$18,250.00;

19)Contract Training Agreement (Interlocal Agreement): approve a contract training agreement with **McAllen Independent School District** (McAllen, TX), through an interlocal agreement, for the period beginning August 1, 2022 through July 31, 2023, at no charge to the College;

Recommend Action - The total for all award of proposals, purchases, renewals, and interlocal agreements was \$1,586,722.00.

The motion carried.

Review and Recommend Action on Disposal of Automotive Technology Program Donated Vehicles

Approval on disposal of three (3) automotive technology program donated vehicles from Ford Motor Company will be requested at the July 26, 2022 Board meeting.

Purpose – The Automotive Program in the Division of Business, Public Safety, and Technology and Fixed Asset/Inventory Department requested approval of the disposal of three (3) instructional vehicles donated by Ford Motor Company as per Policy #5125: Disposal of Surplus Property and for these assets to be removed from the College's fixed assets ledger as presented.

Justification – After many years of use, the vehicles were no longer beneficial for student instruction due to the age of the vehicles and change in technology.

The Ford Motor Company vehicle donation program required that all donated vehicles that are no longer beneficial for student instruction be returned to or transferred at the time of disposal. When Ford Motor Company donated these vehicles to the College, it was with the understanding that the vehicles were strictly for student instruction and not to be driven on the road. In order for Ford Motor Company to assure that these vehicles would never be driven on the road, they required all instructional institutions return or transfer to an entity designated by the Ford Motor Company.

Ford Motor Company requested that these vehicles be transferred to the McAllen Fire Department.

Enclosed Documents - A listing of the vehicles to be disposed/returned/transferred was included in the packet for Committee's information and review.

Mary Elizondo, Vice President for Finance and Administrative Services and Becky Cavazos, Director of Purchasing, attended the July 12, 2022 Finance, Audit, and Human Resources Committee meeting to address any questions by the committee.

Upon a motion by Dr. Alejo Salinas, Jr. and a second by Mr. Rene Guajardo, the Finance, Audit, and Human Resources Committee recommended Board approval of the disposal of three (3) automotive technology program donated from Ford Motor Company to the McAllen

Fire Department and for these assets to be removed from the College's fixed assets ledger as presented. The motion carried.

Review and Recommend Action on Proposed FY 2022 - 2023 Committee Meeting Schedule

The Finance, Audit, and Human Resources Committee was asked to review the following proposed schedule and recommend amendment or approval as appropriate.

The Board would be asked to review and take action on a calendar of Committee and Board Meetings for FY 2022 - 2023 at the July 26, 2022 Regular Board Meeting.

The proposed meeting schedule for the Finance, Audit, and Human Resources Committee was as follows:

<u>Weekday</u>	<u>Date</u>	<u>Meeting Time</u>
Tuesday	September 13, 2022	5:00 p.m.
Tuesday	October 11, 2022	5:00 p.m.
Tuesday	November 8, 2022	5:00 p.m.
Tuesday	December 6, 2022	5:00 p.m.
Tuesday	January 17, 2023	5:00 p.m.
Tuesday	February 14, 2023	5:00 p.m.
Tuesday	March 7, 2023	5:00 p.m.
Tuesday	April 11, 2023	5:00 p.m.
Tuesday	May 9, 2023	5:00 p.m.
Tuesday	June 13, 2023	5:00 p.m.
Tuesday	July 11, 2023	5:00 p.m.
Tuesday	August 8, 2023	5:00 p.m.
Tuesday	September 12, 2023	5:00 p.m.

Finance, Audit, and Human Resources Committee Meetings were generally scheduled for the second Tuesday of each month, and are proposed for a starting time of 5:00 p.m. There may be some deviation based upon scheduling conflicts, and any adjustments would be communicated with as much early notification as practical.

The Committee meetings scheduled for December 2022 and January and March 2023 did not fall on the second Tuesday of their respective months, to allow staff adequate time to prepare for Committee meetings around College closures for Winter Break and Spring Break.

A full calendar view of the proposed Committee and Board meeting schedule was provided in the packet for the Committee's information.

Upon a motion by Dr. Alejo Salinas, Jr. and a second by Mr. Rene Guajardo, the Finance, Audit, and Human Resources Committee recommended Board approval of the proposed Committee meeting schedule so that all Board members may enter the dates on their planning calendars. The motion carried.

Discussion and Action as Necessary to Implement a Four-and-a-Half-Day Work Week Schedule Starting August 1, 2022 and Ending on August 31, 2023

Approval to extend the current pilot four-and-a-half-day work week schedule starting August 1, 2022 and ending August 31, 2023, will be presented at the July 26, 2022 Board meeting.

Purpose – To revise working hours starting on August 1, 2022 and ending on August 31, 2023, to a four-and-a-half-day work week schedule, while still meeting the forty (40) hour work week requirement. This time period will address the entire Fiscal Year of 2022-2023.

Justification – The modified work week schedule is a common practice in community colleges and is recognized as a cost reduction measure and an incentive for employees.

Background – On April 13, 2022, a survey was released to all employees to gain feedback regarding interest in the four-and-a-half-day work week. Feedback was positive and the four-and-a-half-day work week pilot was launched on May 16, 2022 after Board approval at the May 12, 2022 Special Board meeting.

A second survey was released on June 27, 2022 to gain feedback from employees regarding the actual experience of the four-and-a-half-day work week. Feedback was again positive and 83% of employees who responded showed interest in extending the schedule and 7% of employees responded that they were neutral.

The survey was issued and the responses provided valuable feedback on the following items:

- Employee Satisfaction Factors
 - Work Productivity (Exhibit A-1)
 - Work/Life Balance (Exhibit A-2)
 - Lunch Schedules (Exhibit A-3)
 - Longer Weekend (Exhibit A-4)
 - Employee Morale (Exhibit A-5)
- Extension to Fall Semester (Exhibit B)
- Extension to Spring Semester (Exhibit C)

All employees of the College were asked to participate in the survey and 465 responses were received by July 1st.

The results were shown graphically on Exhibits A through C, that follow in the packet.

Recommendation – Administration recommended that employees work with their supervisors to continue implementing the four-and-a-half-day work week based on one of the previously approved schedules below while ensuring coverage of operations.

- Monday – Thursday 8:00am – 5:30pm (Half hour Lunch)
- Monday – Thursday 7:30am – 5:00pm (Half hour Lunch)
- Monday – Thursday 7:45am – 5:15pm (Half hour Lunch)
- Monday – Thursday 8:00am – 6:00pm (Full hour Lunch)

Exceptions outside these schedules would be made at the discretion and approval of the supervisor.

Reviewers - The proposed modified work week schedule was been reviewed by administrative staff and cabinet members.

Mary Elizondo, Vice President for Finance and Administrative Services attended the Committee Meeting to address any questions by the Committee.

The Committee did not take action on this item, and asked that it be presented to the full Board of Trustees for deliberation and action as appropriate.

Discussion and Action as Necessary on Proposed Budget Amendment for FY 2021 - 2022

Approval of a proposed budget amendment for FY 2021 – 2022 will be requested at the July 26, 2022 Board meeting.

The proposed budget amendment was necessary to fund and process transfers from the Unrestricted Fund to the Plant Funds for the purpose of funding capital improvement projects and deferred maintenance.

As a result of the proposed budget amendment, the total budgeted revenues and expenditures/fund balance for the Unrestricted and Plant Funds for Fiscal Year 2021 – 2022 would increase as follows:

Fiscal Year 2021 - 2022
Budgeted Revenues and Expenditures/Fund Balance Net Effect

Fund	Exh.	Amended Budget	Proposed Amendment	Amended Budget
Unrestricted Fund	A	\$191,234,348	\$3,000,000	\$194,234,348
Unexpended Plant Fund – Construction	B	17,239,709	-	17,239,709
Renewals and Replacements Plant Fund	C	6,590,868	-	6,590,868

The budget amendment details and presentation were provided in the packet for the Committee’s information and review.

The budget amendment was proposed as follows:

1. Budget Amendment – Increase Unrestricted Fund Balance Carryover and Increase Unrestricted Fund Balance Transfer to Plant Funds

A budget amendment was proposed to increase the Unrestricted Fund Balance Carryover Allocations by \$3,000,000 for the purpose of transferring funds from the Unrestricted Fund Balance to the Unexpended Plant Fund - Construction and to the Renewals and Replacements Plant Fund, as follows:

Fiscal Year 2021 - 2022
Unrestricted Fund Balance Carryover Allocations

Fund	Amended Budget	Proposed Amendment	Amended Budget
Unexpended Plant Fund – Construction	\$4,345,336	\$2,000,000	\$6,345,336
Renewals and Replacements Plant Fund	-	1,000,000	1,000,000

The budget amendment was proposed to transfer out from the Unrestricted Fund to the Unexpended Plant Fund – Construction and to the Renewals and Replacements Plant Fund in the amounts of \$2,000,000 and \$1,000,000, respectively.

2. Budget Amendment – Transfer Fund Balance from the Unrestricted Fund to the Plant Funds

A budget amendment was proposed to transfer fund balance from the Unrestricted Fund to the Plant Funds for the purpose of funding capital improvement projects and deferred maintenance, as follows:

- Transfer to the Unexpended Plant Fund - Construction from the Unrestricted Fund in the amount of \$2,000,000
- Transfer to the Renewals and Replacements Plant Fund from the Unrestricted Fund in the amount of \$1,000,000.

3. Summary of Proposed Transfer from Unrestricted Fund to Plant Funds

Fiscal Year 2021 - 2022
Summary of Proposed Transfers to Plant Funds

Fund	Original Budget Transfer In/(Out)	Amendment Transfer In/(Out)	Amended Budget Total Transfer In/(Out)
Unrestricted Fund	\$ (3,500,000)	\$ (3,000,000)	\$ (6,500,000)
Unexpended Plant Fund - Construction	\$ 3,500,000	\$ 2,000,000	\$ 5,500,000
Renewals and Replacements Plant Fund	\$ -	\$ 1,000,000	\$ 1,000,000

The budget amendment details and presentation were provided in the packet for the Committee’s information and review.

Mrs. Mary Elizondo, Vice President for Finance and Administrative Services, presented the Proposed Budget Amendment for FY 2021 – 2022.

Upon a motion by Mr. Rene Guajardo and a second by Dr. Alejo Salinas, Jr., the Finance, Audit, and Human Resources Committee recommended Board approval of the proposed budget amendment for FY 2021 – 2022 as presented. The motion carried.

Adjournment

There being no further business to discuss, the Finance, Audit, and Human Resources Committee Meeting of the South Texas College Board of Trustees adjourned at 5:57 p.m.

I certify that the foregoing are the true and correct Minutes of the July 12, 2022 Finance, Audit, and Human Resources Committee Meeting of the South Texas College Board of Trustees.

Mr. Rene Guajardo
 Committee Chair

Review and Action as Necessary on Solicitation of Proposals, Purchases, Renewals, and Interlocal Agreement

Approval of the following solicitation of proposals, purchases, renewals, and interlocal agreement will be requested at the August 23, 2022 Board meeting.

The Director of Purchasing has reviewed each item and recommends approval as follows:

- A. Solicitation of Proposals**
- B. Purchases and Renewals**
 - a. Technology Items**
- C. Interlocal Agreement**

A. Solicitation of Proposals

1) Campus Dining Services - Food Trucks (Solicit)

Solicit a request for proposals for campus dining services – food trucks for the Starr County Campus and the Regional Center for Public Safety Excellence for services as needed.

Purpose – Facilities Operations and Maintenance and the Purchasing Department are requesting campus dining services – food trucks to provide services from Monday through Friday, starting at 8:00 a.m. until 2:00 p.m.

Justification and Benefit – Food Services must be available for the South Texas College faculty, staff, students, and the community at each campus.

Background – A request for proposals for campus dining and food truck services was previously solicited and the College did not receive any responses for food trucks at these locations.

2) District Wide Network Equipment Upgrade (Solicit)

Solicit a request for proposals for the district wide network equipment upgrade using the Higher Education Emergency Relief Funds (HEERF) grant, at a total amount of \$900,000.00.

Purpose – Information Technology is requesting to purchase network equipment and installation services for the district wide upgrade of its wireless network.

Justification and Benefit – The equipment upgrade will improve the wireless connectivity and capacity inside all the South Texas College facilities.

Funds for this expenditure are budgeted in the Higher Education Emergency Relief Funds (HEERF) grant budget for FY 2022 – 2023, pending Board approval of the budget.

3) Purchase of Portable Air Purifiers (Solicit)

Solicit a request for proposals for the purchase of portable air purifiers using the Higher Education Emergency Relief Funds (HEERF) grant, at a total amount of \$200,000.00.

Purchase – Academic Affairs, Finance and Administrative Services, Information Services, Planning, Performance and Strategic Initiatives, and Student Services and Enrollment Management, are requesting to purchase two hundred (200) air purifiers for classrooms, common areas, and libraries.

Justification and Benefit – As the Fall 2022 and Spring 2023 semesters begin, the portable air purifiers will create and maintain a safer environment for students, faculty, and staff and reduce the spread of COVID-19. The two (2) different models requested are necessary due to the varying conditions of the environment in which they will be placed.

Background – On August 24, 2021, the Board of Trustees approved the purchase of one hundred twenty five (125) portable air purifiers for classrooms. On January 25, 2022, the Board of Trustees awarded the purchase of four hundred (400) portable air purifiers for classrooms and labs. The additional two hundred (200) portable air purifiers are needed for the remaining classrooms, common areas, and libraries throughout the district in preparation for increased face-to-face instruction in the Fall Semester. In addition, on July 13, 2022 the Board of Trustees approved the cancellation of the planned District Wide Air Handler Replacements project scheduled due to the completion date being after the end date of the use of the Higher Education Relief Funds (HEERF) grant.

Funds for this expenditure are budgeted in the Higher Education Emergency Relief Funds (HEERF) grant budget for FY 2022 – 2023, pending Board approval of the budget.

B. Purchases and Renewals (B-a. Technology Items)

4) Banner Application Maintenance Agreement (Renewal)

Renew the Banner application maintenance agreement with Ellucian, Inc. through **Texas A&M University – Corpus Christi** (Corpus Christi, TX), acting by and through the State of Texas Department of Information Resources (DIR) for the Texas Connection Consortium (TCC), for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$415,774.05.

Purpose – Information Technology is requesting to renew the Banner application maintenance and support for the Banner applications and existing third party applications that work with the Banner system.

Justification and Benefit – The applications included in the renewal agreement are as follows:

Applications		
Banner Financial Aid	Banner Finance	Banner Finance Self-Service

Applications		
Banner Human Resources	Banner Employee Self-Service	Banner Student
Banner Student Self-Service	Banner Faculty (and Advisor) Self-Service	Electronic Data Interchange (EDI) Smart
Banner Workflow	Campus Loan Manager (CLM) (Campus Receivables Collector)	Luminis Basic
Banner Recruiting and Admission Performance	Ellucian Degree Works	Ellucian Degree Works Transfer Equivalency
Ellucian Mobile Platform Edition	Ellucian Intelligent Learning Platform	Financial Aid FM Need Analysis
Xtender Solutions	Application Xtender	AppWorx
Document Management Suite	Application Xtender Test Bundle	Banner Enterprise Job Scheduler
Application Xtender Web Services	Banner Document Management Suite	

The Banner system applications collaborate across departments in fulfilling the day-to-day operations and improving processes for faculty, staff, and students. The three (3) main systems are Banner Finance, Banner Human Resources, and Banner Student.

The agreement is a standing maintenance agreement with Ellucian, a sole source vendor. The contract is purchased through the Texas Connection Consortium (TCC) in order to purchase at a substantially discounted rate.

Funds for this expenditure are budgeted in the Application Development budget for FY 2022 – 2023, pending Board approval of the budget.

5) Communication Software Agreement (Renewal)

Renew the communication software agreement with **Hit Labs, Inc.** (Lehi, UT), a sole source vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$75,038.91.

Purpose – Distance Education is requesting to renew the communication software agreement, which is used with Blackboard for communication with students taking online courses.

Justification and Benefit – The communication software connects student and instructors with real-time chat, group video chat, allow for announcements, provides message language translation, file sharing and storage, and task management. It supports the student in learning faster, working smarter, and the ability to communicate seamlessly. In addition, this software has instant translation so the instructor or student can create a message in English and the reader can enable the option to see that message in multiple language

options. Given our large number of English Second Language (ESL) students, this tool is a valuable option for student-instructor interactions.

Funds for this expenditure are budgeted in the Distance Learning budget for FY 2022 – 2023, pending Board approval of the budget.

6) Data Hosting and Maintenance Agreement (Renewal)

Renew the data hosting and maintenance agreement with **TouchNet Information Systems, Inc.** (Atlanta, GA), a sole source vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$259,763.00.

Purpose – Information Technology is requesting to renew the annual data hosting and maintenance services for the College’s cashiering system.

Justification and Benefit - The data hosting services provide a data-secure environment for all payments received at the College. All personal, bank, and credit card information must be stored in a Payment Card Industry (PCI) certified data center to prevent fraud. The maintenance covers support issues for the cashiering system including online payments by credit cards and checks and for the equipment used by South Texas College staff.

Funds for this expenditure are budgeted in the Application Development budget for FY 2022 – 2023, pending Board approval of the budget.

7) Data Storage Hardware Maintenance Agreement (Renewal)

Renew the data storage hardware maintenance agreement with **Dell Marketing, LP.** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning August 1, 2022 through August 31, 2023, at a total estimated amount of \$34,242.22.

Purpose – Information Technology is requesting to renew the maintenance agreement for the College’s data storage devices for virtual desktops infrastructure (VDI) and Banner systems.

Justification and Benefit – The storage device provides a central location to store the virtual desktops and the Banner applications that support student and faculty district wide. The maintenance includes twenty-four (24) hour, year-round support for the hardware and software.

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2022 – 2023, pending Board approval of the budget.

8) Email Backup Online License Subscription (Renewal)

Renew the email backup online license subscription with **Software House International (SHI) Government Solutions** (Austin, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning August 31, 2022 through August 30, 2023, at an estimated amount of \$37,141.01.

Purpose – Information Technology is requesting to renew the email backup online license subscription, which supports email retention and archiving for faculty, staff, and students.

Justification and Benefit – This subscription provides the functionality to backup, archive, and restore emails online. The subscription will allow a longer retention period and provides recovery of emails.

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2022 – 2023, pending Board approval of the budget.

9) Email Security Software License Agreement (Renewal)

Renew the email security software license agreement with **Software House International (SHI) Government Solutions** (Austin, TX), The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 30, 2022 through September 29, 2023, at a total estimated amount of \$41,260.62.

Purpose – Information Security is requesting to renew the email security cloud solution, Proofpoint, to protect the College's Office 365 email services from inbound cyber-attacks, and to protect email users from malware, spam, and phishing attempts. This software also provides secure messaging capabilities to be able to send sensitive data through email.

Justification and Benefit – Email is widely used as a method to deliver malware, phishing attempts, and is constantly targeted by spammers. The College needs to protect the service with a tool that provides protection against these threats. This license provides a service for sharing sensitive information securely with trusted parties and can greatly reduce the probability of a successful phishing attempt.

Funds for this expenditure are budgeted in the Information Security budget for FY 2022 – 2023, pending Board approval of the budget.

10) Enterprise Software Licenses and Maintenance Agreements (Renewal)

Renew the enterprise software licenses and maintenance agreements with **Software House International (SHI) Government Solutions** (Austin, TX), a Purchasing Association of Cooperative Entities (PACE), Texas Association of School Boards – Buyboard, and The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 1, 2022 through September 20, 2023, at an estimated total amount of \$93,396.89.

Purpose – Information Technology (IT) is requesting to renew various enterprise software licenses and maintenance agreements used on computers at all campuses, ticketing system licenses used by the Information Services and Planning (IS&P) Help Desk, monitoring and alert system licenses used to monitor the College's Information Systems.

Justification and Benefit – The enterprise software licenses are installed on the student lab computers and classroom computers throughout all the College's campuses and remote sites. The software retains the computer's original settings and configurations in order to keep them running efficiently and to prevent hardware failures or downtime.

The ticketing system licenses are used by the IT Service Desk to keep track of any technical support issue and assistance called in by South Texas College faculty, staff, and students.

IT uses the monitoring and alert system to continuously monitor all systems (servers and switches) to prevent any service interruptions for faculty, staff, and students.

Funds for this expenditure are budgeted in the Information Technology Project Management, Risk and Security, Client Services, and Technology Support Services budgets for FY 2022 – 2023, pending Board approval of the budget.

11)Internet Service Agreement – District Wide (Renewal)

Renew the internet service agreement – district wide with Charter Communications Operating, LLC./dba Spectrum Gulf Coast through the State of Texas **Department of Information Resources (DIR) – TEXAN** (Austin, TX), for the period beginning September 1, 2022 through August 31, 2023, at an estimated monthly total amount of \$15,000.00 and estimated annual total amount of \$180,000.00.

Purpose – Information Technology is requesting to renew the agreement for direct internet service to the Pecan Campus Building M Data Center. This service is also distributed throughout the College district from the Pecan Campus.

Justification and Benefit – The service will be utilized by student, faculty, and staff to access the internet for use in classrooms, labs, and offices at all campuses and centers.

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2022 – 2023, pending Board approval of the budget.

12)Network Hardware and Software Maintenance Agreement (Renewal)

Renew the network hardware and software maintenance agreement with **Netsync Network Solutions, Inc.** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$139,248.59.

Purpose – Information Technology is requesting to renew the network hardware and software maintenance agreement for the College network hardware and software.

Justification and Benefit – The network equipment and software maintenance agreement will provide online phone support and software upgrades for all Cisco network equipment. It will cover equipment failure by providing equipment replacements within the next business day. The equipment is critical to the network infrastructure which provides faculty, staff, and students connectivity to the internet and intranet applications and services such as Blackboard and Banner.

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2022 – 2023, pending Board approval of the budget.

13) Oracle License Maintenance Agreement (Renewal)

Renew the Oracle license maintenance agreement with **Oracle America, Inc.** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$550,248.65.

Purpose – Information Technology is requesting to renew the support for database licenses, database security licenses, and database backup licenses at a quantity of 24,318 for each type of license, which is used for the College’s administrative computing system.

Justification and Benefit – The support services include maintenance and upgrades to the database licenses. The upgrades are needed so that the College stays up to date with the latest version of the software that supports the Banner system as well as other enterprise level software throughout the College.

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2022 – 2023, pending Board approval of the budget.

14) Public Website Hosting Services Agreement (Renewal)

Renew the public website hosting services agreement with **Rackspace US, Inc.** (San Antonio, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total estimated amount of \$79,999.92.

Purpose – Information Technology is requesting to renew the agreement for the College’s public website hosting services.

Justification and Benefit – The public website hosting service hosts the South Texas College public and library websites in a secure off-site location. The maintenance agreement provides 24/7 technical support and the ability to keep the websites running during events such as hurricanes or routine systems maintenance. The service also provides redundancy to the College’s public website in the event of a shutdown of computing resources at the College.

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2022 – 2023, pending Board approval of the budget.

15) Server Hardware Maintenance and Support Agreement (Renewal)

Renew the server hardware maintenance and support agreement with **Dell Marketing, LP.** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$147,724.67.

Purpose – Information Technology is requesting to renew the server hardware maintenance and support agreement for the Dell servers.

Justification and Benefit – The Dell hardware maintenance agreement supports and maintains the College’s computer servers that include the servers used for the security cameras. The agreement provides twenty-four (24) hour, year-round support.

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2022 – 2023, pending Board approval of the budget.

16) Support Services Agreement (Renewal)

Renew the support services agreement with **Ellucian Company, LP.** (Fairfax, VA), a sole source vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$31,186.00.

Purpose – Information Technology is requesting to renew the support services advantage plus agreement for the Banner applications and existing third-party applications that work the Banner system.

Justification and Benefit – The extended support services add another level of service to the existing maintenance program the College has from Ellucian. This extended plan provides 24/7 support which covers weekends and after normal business hours Monday through Friday. It provides a faster response time and priority case escalation to any Banner related issues that may occur during hours outside of normal business hours.

Funds for this expenditure are budgeted in the Applications Development budget for FY 2022 – 2023, pending Board approval of the budget.

17) System Appliances Maintenance Agreement (Renewal)

Renew the system appliances maintenance agreement with **Netsync Network Solutions, Inc.** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning **September** 1, 2022 through August 31, 2023, at an estimated total amount of \$22,437.20.

Purpose – Information Technology is requesting to renew the hardware maintenance agreement for the F5 system appliances.

Justification and Benefit - The F5 system appliances provide high availability, security, and performance for critical business applications such as Luminis, JagPride, Outlook Web Access, JagParking, and Dual Enrollment. The agreement covers the maintenance and technical support of the appliances and provides twenty-four (24) hour, year-round support.

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2022 – 2023, pending Board approval of the budget.

C. Interlocal Agreement

18) Service Agreement (Interlocal Agreement)

Approve a service agreement with **Hidalgo County - Women, Infants, and Children (WIC) Program** (Edinburg, TX), through an interlocal agreement, for the period beginning September 1, 2022 through August 31, 2023, at no charge to the College.

Purpose – Counseling and Student Access Services is requesting to enter into an agreement to provide nutrition education programs for student, faculty, and staff on a monthly basis.

Justification and Benefit – The education programs will include supplemental foods, health care referrals, and nutrition education for pregnant, breastfeeding, and postpartum women as well as infants and children up to age five (5). A mobile unit will provide monthly on-site services to qualifying STC students, faculty, and staff at the various STC campuses.

Recommendation:

It is requested that the Finance, Audit, and Human Resources Committee recommend for Board approval at the August 23, 2022 Board meeting the solicitation of proposals, purchases, renewals, and interlocal agreement as listed below:

A. Solicitation of Proposals

B. Purchases and Renewals

a. Technology Items

C. Interlocal Agreement

A. Solicitation of Proposals

- 1) Campus Dining Services – Food Trucks (Solicit):** solicit a request for proposals for campus dining services – food trucks for the Starr County Campus and the Regional Center for Public Safety Excellence for services as needed;
- 2) District Wide Network Equipment Upgrade (Solicit):** solicit a request for proposals for the district wide network equipment upgrade using the Higher Education Emergency Relief Funds (HEERF) grant, at a total amount of \$900,000.00;
- 3) Purchase of Portable Air Purifiers (Solicit):** solicit a request for proposals for the purchase of portable air purifiers using the Higher Education Emergency Relief Funds (HEERF) grant, at a total amount of \$200,000.00;

B. Purchases and Renewals (B-a. Technology Items)

- 4) Banner Application Maintenance Agreement (Renewal):** renew the Banner application maintenance agreement with Ellucian, Inc. through **Texas A&M University – Corpus Christi** (Corpus Christi, TX), acting by and through the State of Texas Department of Information Resources (DIR) for the Texas Connection Consortium (TCC), for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$415,774.05;

- 5) **Communication Software Agreement (Renewal):** renew the communication software agreement with **Hit Labs, Inc.** (Lehi, UT), a sole source vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated amount of \$75,038.91;
- 6) **Data Hosting and Maintenance Agreement (Renewal):** renew the data hosting and maintenance agreement with **TouchNet Information Systems, Inc.** (Atlanta, GA), a sole source vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$259,763.00;
- 7) **Data Storage Hardware Maintenance Agreement (Renewal):** renew the data storage hardware maintenance agreement with **Dell Marketing, LP.** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning August 1, 2022 through August 31, 2023, at a total estimated amount of \$34,242.22;
- 8) **Email Backup Online License Subscription (Renewal):** renew the email backup online license subscription with **Software House International (SHI) Government Solutions** (Austin, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning August 31, 2022 through August 30, 2023, at an estimated amount of \$37,141.01;
- 9) **Email Security Software License Agreement (Renewal):** renew the email security software license agreement with **Software House International (SHI) Government Solutions** (Austin, TX), The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 30, 2022 through September 29, 2023, at a total estimated amount of \$41,260.62;
- 10) **Enterprise Software Licenses and Maintenance Agreements (Renewal):** renew the enterprise software licenses and maintenance agreements with **Software House International (SHI) Government Solutions** (Austin, TX), a Purchasing Association of Cooperative Entities (PACE), Texas Association of School Boards – Buyboard, and The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 1, 2022 through September 20, 2023, at an estimated total amount of \$93,396.89;
- 11) **Internet Service Agreement – District Wide (Renewal):** renew the internet service agreement – district wide with Charter Communications Operating, LLC./dba Spectrum Gulf Coast, through the State of Texas **Department of Information Resources (DIR) – TEXAN** (Austin, TX), for the period beginning September 1, 2022 through August 31, 2023, at an estimated monthly total amount of \$15,000.00 and estimated annual total amount of \$180,000.00;
- 12) **Network Hardware and Software Maintenance Agreement (Renewal):** renew the network hardware and software maintenance agreement with **Netsync Network Solutions, Inc.** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$139,248.59;
- 13) **Oracle License Maintenance Agreement (Renewal):** renew the Oracle license maintenance agreement with **Oracle America, Inc.** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$550,248.65;

- 14)Public Website Hosting Services Agreement (Renewal):** renew the public website hosting services agreement with **Rackspace US, Inc.** (San Antonio, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total estimated amount of \$79,999.92;
- 15)Server Hardware Maintenance and Support Agreement (Renewal):** renew the server hardware maintenance and support agreement with **Dell Marketing, Inc.** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at a total amount of \$147,724.67;
- 16)Support Services Agreement (Renewal):** renew the support services agreement with **Ellucian Company, LP.** (Fairfax, VA), a sole source vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$31,186.00;
- 17)System Appliances Maintenance Agreement (Renewal):** renew the system appliances maintenance agreement with **Netsync Network Solutions, Inc.** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2022 through August 31, 2023, at an estimated total amount of \$22,437.20.

C. Interlocal Agreement

- 18) Service Agreement (Interlocal Agreement):** approve a service agreement with **Hidalgo County - Women, Infants, and Children (WIC) Program** (Edinburg, TX), through an interlocal agreement, for the period beginning September 1, 2022 through August 31, 2023, at no charge to the College.

Recommend Action - The total for all solicitation of proposals, purchases, renewals, and interlocal agreement is \$3,207,461.73.

NO BACKUP FOR

- 1. Campus Dining
Services - Food
Trucks (Solicit)**

NO BACKUP FOR

2. District Wide Network Equipment Upgrade (Solicit)

NO BACKUP FOR

3. Purchase of Portable Air Purifiers (Solicit)

SOUTH TEXAS COLLEGE
4. BANNER APPLICATION MAINTENANCE AGREEMENT

NAME			Ellucian, Inc. through Texas A&M University - Corpus Christi acting by and through the State of Texas Department of Information Resources (DIR) for the Texas Connection Consortium	
ADDRESS			6300 Ocean Dr Unit 5767	
CITY/STATE/ZIP			Corpus Christi, TX 78412	
PHONE			361-825-2600	
CONTACT			Dana Rhyne Aikman	
#	Qty	Description	Unit Price	Extension
Period: 9/1/22 - 8/31/23				
1	1	Banner Financial Aid	\$ 37,554.91	\$ 37,554.91
2	1	Banner Finance	\$ 35,512.51	\$ 35,512.51
3	1	Banner Finance Self-Service	\$ 4,440.72	\$ 4,440.72
4	1	Banner Human Resources	\$ 22,738.48	\$ 22,738.48
5	1	Banner Employee Self-Service	\$ 12,334.79	\$ 12,334.79
6	1	Banner Student	\$ 36,781.14	\$ 36,781.14
7	1	Banner Student Self-Service	\$ 7,975.39	\$ 7,975.39
8	1	Banner Faculty (and Advisor) Self-Service	\$ 10,690.11	\$ 10,690.11
9	1	EDI Smart	\$ 703.21	\$ 703.21
10	1	Banner Workflow	\$ 12,183.08	\$ 12,183.08
11	1	Campus Loan Manager (CLM) (Campus Receivables Collector)	\$ 8,598.42	\$ 8,598.42
12	1	Luminis Basic	\$ 39,594.23	\$ 39,594.23
13	1	Banner Recruiting & Admission Performance	\$ 21,923.69	\$ 21,923.69
14	1	Ellucian Degree Works	\$ 10,985.27	\$ 10,985.27
15	1	Ellucian Degree Transfer Equivalency	\$ 5,492.64	\$ 5,492.64
16	1	Ellucian Mobile Platform Edition	\$ 8,482.43	\$ 8,482.43
17	1	Ellucian Intelligent Learning Platform	\$ 12,858.89	\$ 12,858.89
18	1	Financial Aid FM Need Analysis	\$ 7,683.33	\$ 7,683.33
19	1	Xtender Solutions	\$ 7,914.08	\$ 7,914.08
20	1	Application Xtender	\$ 20,421.75	\$ 20,421.75
21	1	AppWorx	\$ 31,472.48	\$ 31,472.48
22	1	Document Management Suite May09	\$ 3,149.70	\$ 3,149.70
23	1	Application Xtender Test Bundle	\$ 1,459.49	\$ 1,459.49
24	1	Banner Enterprise Job Scheduler	\$ 5,703.05	\$ 5,703.05
25	1	Application Xtender Web Services	\$ 1,882.28	\$ 1,882.28
26	1	Banner Document Management Suite May11	\$ 4,183.16	\$ 4,183.16
27	1	Banner Document Management Suite Nov11	\$ 1,657.03	\$ 1,657.03
28	1	Banner Document Management Suite Dec11	\$ 274.15	\$ 274.15
29	1	Banner Document Management Suite - includes Application Xtender Package	\$ 1,188.08	\$ 1,188.08
30	1	Administrative Fee	\$ 10,335.56	\$ 10,335.56
31	1	Subscription Cost for FY2023	\$ 29,600.00	\$ 29,600.00
TOTAL AMOUNT			\$	415,774.05

SOUTH TEXAS COLLEGE
5. COMMUNICATION SOFTWARE AGREEMENT

NAME			Hit Labs, Inc.	
ADDRESS			2000 W Ashton Blvd Ste 350	
CITY/STATE/ZIP			Lehi, UT 84043	
PHONE			801-906-3999	
CONTACT			Ben Cannon	
#	Qty	Description	Unit Price	Extension
1	1	Communication Software Agreement - Renewal Limits: 22,000 FTE Period: 9/1/22 - 8/31/23	\$ 75,038.91	\$ 75,038.91
TOTAL AMOUNT			\$ 75,038.91	

SOUTH TEXAS COLLEGE
6. DATA HOSTING AND MAINTENANCE AGREEMENT

NAME			TouchNet Information Systems, Inc.	
ADDRESS			P O Box 936565	
CITY/STATE/ZIP			Atlanta, GA 31193-6565	
PHONE			970-261-5146	
CONTACT			Deb Hoefler	
#	Qty	Description	Unit Price	Extension
1	1	TouchNet One Card Annual Subscription Service - One Card Dining Period: 9/1/22 - 12/31/22	\$ 3,284.00	\$ 3,284.00
2	1	TouchNet Annual Subscription Service - Mobile Bill+Payment Mobile Marketplace Period: 9/1/22 - 8/31/23	\$ 41,060.00	\$ 41,060.00
3	1	TouchNet Hosting Service - Payment Gateway Credit Card, ACH & Debit, Account Center, eBill, Payment Plans, Student Cashiering, Dept Deposits, uPay, uStores Period: 9/1/22 - 8/31/23	\$ 93,457.00	\$ 93,457.00
4	1	TouchNet Hosting Service - eRefunds Period: 9/1/22 - 8/31/23	\$ 9,899.00	\$ 9,899.00
5	1	TouchNet Maintenance Service - Payment Gateway Credit Card & ACH Engines, Student Cashiering, Department Deposits Period: 9/1/22 - 8/31/23	\$ 51,182.00	\$ 51,182.00
6	1	TouchNet Maintenance Service - Payment Gateway Debit Engine Period: 9/1/22 - 8/31/23	\$ 6,681.00	\$ 6,681.00
7	1	TouchNet Maintenance Service - Account Center, eBill, Payment Plans Period: 9/1/22 - 8/31/23	\$ 32,794.00	\$ 32,794.00
8	1	TouchNet Maintenance Service - Marketplace uPay, Marketplace uStores Period: 9/1/22 - 8/31/23	\$ 21,406.00	\$ 21,406.00
TOTAL AMOUNT			\$	259,763.00

SOUTH TEXAS COLLEGE
7. DATA STORAGE HARDWARE MAINTENANCE AGREEMENT

NAME				Dell Marketing, LP.	
ADDRESS				P O Box 676021	
CITY/STATE/ZIP				Dallas, TX 75267	
PHONE				512-596-1309	
CONTACT				Bryanna Kelly	
#	Qty	Description	Service Tag	Unit Price	Extension
Period: 8/1/22 - 7/31/23					
1	1	Pro Support Plus, 24x7, 4HR, Enclosure, SC400, 3.5, 12-Bay	12N8GK2	\$ 2,295.72	\$ 2,295.72
2	1	Pro Support Plus, 24x7, 4HR, Enclosure, SC400, 3.5, 12-Bay	12N9GK2	\$ 2,295.72	\$ 2,295.72
3	1	Pro Support Plus, 24x7, 4HR, Enclosure, SC400, 3.5, 12-Bay	12NBGK2	\$ 2,295.72	\$ 2,295.72
4	1	Pro Support Plus, 24x7, 4HR, Enclosure, SC400, 3.5, 12-Bay	12NCGK2	\$ 2,295.72	\$ 2,295.72
5	1	Pro Support Plus, 24x7, 4HR, Enclosure, SC400, 3.5, 12-Bay	12P5GK2	\$ 2,295.72	\$ 2,295.72
6	1	Pro Support Plus, 24x7, 4HR, Enclosure, SC400, 3.5, 12-Bay	12QCGK2	\$ 11,410.68	\$ 11,410.68
7	1	Pro Support 24x7, Storage Optimization Bundle		\$ 5,040.00	\$ 5,040.00
Period: 10/1/22 - 8/31/23					
8	1	Pro Support, 24x7, Dell/Compellent	CZPVH82	\$ 3,406.97	\$ 3,406.97
9	1	Pro Support, 24x7, Enclosure, SC220	4T9FKH2	\$ 2,172.64	\$ 2,172.64
10	1	Support, 24x7, SW, Storage Center OS Core		\$ 733.33	\$ 733.33
TOTAL AMOUNT				\$	34,242.22

SOUTH TEXAS COLLEGE
8. EMAIL BACKUP ONLINE LICENSE SUBSCRIPTION

NAME			Software House International (SHI) Government Solutions	
ADDRESS			1301 S Mo-Pac Expway Ste 375	
CITY/STATE/ZIP			Austin, TX 78746	
PHONE			800-477-6479	
CONTACT			Daniel Breazzano	
#	Qty	Description	Unit Price	Extension
Period: 8/31/22 - 8/30/23				
1	2,001	Unitrends Spanning Backup for Microsoft Office 365-Unlimited Retention	\$ 18.48	\$ 36,978.48
2	2,001	Unitrends Spanning Backup for Microsoft Office 365-Unlimited Retention	\$ -	\$ -
3	1	Unitrends Spanning Office 365 Backup Initial Data Transfer and Onboarding Fee	\$ 162.53	\$ 162.53
TOTAL AMOUNT			\$	37,141.01

SOUTH TEXAS COLLEGE
9. EMAIL SECURITY SOFTWARE LICENSE AGREEMENT

NAME		Software House International (SHI) Government Solutions		
ADDRESS		1301 S Mo-Pac Expway Ste 375		
CITY/STATE/ZIP		Austin, TX 78746		
PHONE		512-914-3884		
CONTACT		Joseph Muniz		
#	Qty	Description	Unit Price	Extension
Period: 9/30/22 - 9/29/23				
1	2,001	Dynamic Reputation, Spam, Protection, Zero-Hour Anti-Virus, Email Firewall - Proofpoint	\$ 9.04	\$ 18,089.04
2	2,001	Targeted Attack Protection - URL Defense SaaS - Proofpoint	\$ 11.58	\$ 23,171.58
3	1	Platinum Level Support - Proofpoint	-	-
TOTAL AMOUNT			\$	41,260.62

SOUTH TEXAS COLLEGE

10. ENTERPRISE SOFTWARE LICENSES AND MAINTENANCE AGREEMENTS

NAME			Software House International (SHI) Government Solutions	
ADDRESS			1301 S Mo-Pac Expway Ste 375	
CITY/STATE/ZIP			Austin, TX 78746	
PHONE			512-914-3884	
CONTACT			Joseph Muniz	
#	Qty	Description	Unit Price	Extension
Period: 9/1/22 - 8/31/23				
1	1	FootPrints Service Core	\$ 41,613.80	\$ 41,613.80
2	100	Insight NA EDU Maintenance Renewal	\$ 47.71	\$ 4,771.00
3	4,200	Deep Freeze ENT NA EDU Maintenance Renewal	\$ 3.02	\$ 12,684.00
4	100	Deep Freeze Mac NA EDU Maintenance Renewal	\$ 3.02	\$ 302.00
5	628	Insight Maintenance Renewal EDU SN	\$ 1.60	\$ 1,004.80
Period: 9/20/22 - 9/20/23				
6	1	SolarWinds Web Performance Monitor WPM50	\$ 1,721.21	\$ 1,721.21
7	1	SolarWinds Server & Application Monitor ALX	\$ 8,461.08	\$ 8,461.08
8	1	SolarWinds Network Performance Monitor SLX	\$ 7,084.31	\$ 7,084.31
9	1	SolarWinds IP Address Manager Maintenance	\$ 1,049.85	\$ 1,049.85
10	1	SolarWinds NetFlow Traffic Analyzer Module for SolarWinds Network Performance Monitor SLX	\$ 4,046.65	\$ 4,046.65
11	1	SolarWinds User Device Tracker Maintenance	\$ 466.05	\$ 466.05
12	1	SolarWinds Network Configuration Manager	\$ 2,085.11	\$ 2,085.11
13	1	SolarWinds Additional Polling Engine	\$ 4,411.52	\$ 4,411.52
14	1	SolarWinds Network Topology Mapper	\$ 422.27	\$ 422.27
15	1	SolarWinds Security Event Manager SEM30	\$ 2,114.58	\$ 2,114.58
16	1	SolarWinds Security Event Manager Workstation	\$ 1,158.66	\$ 1,158.66
TOTAL AMOUNT			\$	93,396.89

SOUTH TEXAS COLLEGE
11. INTERNET SERVICE AGREEMENT - DISTRICT WIDE

NAME			State of Texas Department of Information Resources - TEXAN (Spectrum Gulf Coast)	
ADDRESS			300 W 15th St Ste 300	
CITY/STATE/ZIP			Austin, TX 78701	
PHONE			512-531-3264	
CONTACT			Patrick Kufrovich	
#	Qty	Description	Unit Price	Extension
1	12	Internet Service - District Wide Period: 9/1/22 - 8/31/23	\$ 15,000.00	\$ 180,000.00
TOTAL AMOUNT			\$	180,000.00

SOUTH TEXAS COLLEGE
12. NETWORK HARDWARE AND SOFTWARE MAINTENANCE
AGREEMENT

NAME			Netsync Network Solutions, Inc.	
ADDRESS			2500 W Loop S Ste 410	
CITY/STATE/ZIP			Houston, TX 77027	
PHONE			210-428-7332	
CONTACT			Pam Taylor	
#	Qty	Description	Unit Price	Extension
1	1	Network Hardware and Software Maintenance Agreement Contracts: 271947515 Period: 9/1/22 - 8/31/23	\$ 139,248.59	\$ 139,248.59
TOTAL AMOUNT			\$	139,248.59

SOUTH TEXAS COLLEGE
13. ORACLE LICENSE MAINTENANCE AGREEMENT

NAME			Oracle America, Inc.	
ADDRESS			P O Box 203448	
CITY/STATE/ZIP			Dallas, TX 75320	
PHONE			703-364-0676	
CONTACT			Dapo Lawal	
#	Qty	Description	Unit Price	Extension
Period: 9/1/22 - 8/31/23				
1	1	Oracle Advanced Security Named User Plus Perpetual Qty: 23,896	\$ 20,487.39	\$ 20,487.39
2	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 13,716	\$ 78,631.73	\$ 78,631.73
3	1	Oracle Diagnostic Pack - Named User Plus Perpetual Qty: 13,716	\$ 5,897.39	\$ 5,897.39
4	1	Oracle Internet Application Server Enterprise Edition - Named User Plus Perpetual Qty: 13,716	\$ 39,315.90	\$ 39,315.90
5	1	Oracle Internet Developer Suite-Named User Plus Perpetual Qty: 5	\$ 4,950.25	\$ 4,950.25
6	1	Oracle Programmer - Named User Plus Perpetual Qty: 5	\$ 1,001.34	\$ 1,001.34
7	1	Oracle Real Application Clusters - Name User Plus Perpetual Qty: 13,716	\$ 39,315.90	\$ 39,315.90
8	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 13,716	\$ 5,897.39	\$ 5,897.39
9	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 670	\$ 10,532.02	\$ 10,532.02
10	1	Oracle Diagnostics Pack - Named User Plus Perpetual Qty: 670	\$ 789.90	\$ 789.90
11	1	Oracle Internet Application Server Enterprise Edition - Named User Plus Perpetual Qty: 670	\$ 7,899.00	\$ 7,899.00
12	1	Oracle Real Application Clusters - Name User Plus Perpetual Qty: 670	\$ 5,266.00	\$ 5,266.00
13	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 670	\$ 789.90	\$ 789.90
14	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 979	\$ 7,334.56	\$ 7,334.56
15	1	Oracle Diagnostics Pack - Named User Plus Perpetual Qty: 979	\$ 550.11	\$ 550.11

SOUTH TEXAS COLLEGE
13. ORACLE LICENSE MAINTENANCE AGREEMENT

NAME			Oracle America, Inc.	
#	Qty	Description	Unit Price	Extension
16	1	Oracle Internet Application Server Enterprise Edition - Named User Plus Perpetual Qty: 979	\$ 5,500.93	\$ 5,500.93
17	1	Oracle Real Application Clusters - Named User Plus Perpetual Qty: 979	\$ 3,667.26	\$ 3,667.26
18	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 979	\$ 550.10	\$ 550.10
19	1	Oracle Database Enterprise Edition - Nonstandard User Qty: 1,338	\$ 16,405.99	\$ 16,405.99
20	1	Oracle Diagnostics Pack - Nonstandard User Qty: 1,338	\$ 1,208.85	\$ 1,208.85
21	1	Oracle Internet Application Server Enterprise Edition - Nonstandard User Qty: 1,338	\$ 12,088.63	\$ 12,088.63
22	1	Oracle Real Application Clusters - Nonstandard User Qty: 1,338	\$ 7,943.96	\$ 7,943.96
23	1	Oracle Tuning Pack - Nonstandard User Qty: 1,338	\$ 1,208.88	\$ 1,208.88
24	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 4,161	\$ 32,133.14	\$ 32,133.14
25	1	Oracle Diagnostics Pack - Named User Plus Perpetual Qty: 4,161	\$ 3,382.43	\$ 3,382.43
26	1	Oracle Internet Application Server Enterprise Edition - Named User Plus Perpetual Qty: 4,161	\$ 23,677.04	\$ 23,677.04
27	1	Oracle Real Application Clusters - Named User Plus Perpetual Qty: 4,161	\$ 15,559.19	\$ 15,559.19
28	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 4,161	\$ 3,382.43	\$ 3,382.43
29	1	Sun Horizon Library Manager for L-Series Library Admin L180-Storage Device Qty: 1	\$ 343.61	\$ 343.61
30	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 900	\$ 10,796.52	\$ 10,796.52
31	1	Oracle Diagnostics Pack - Named User Plus Perpetual Qty: 900	\$ 1,136.48	\$ 1,136.48
32	1	Oracle Internet Application Server Enterprise Edition - Named User Plus Perpetual Qty: 900	\$ 7,955.37	\$ 7,955.37
33	1	Oracle Real Application Clusters - Named User Plus Perpetual Qty: 900	\$ 5,227.81	\$ 5,227.81

SOUTH TEXAS COLLEGE
13. ORACLE LICENSE MAINTENANCE AGREEMENT

NAME			Oracle America, Inc.	
#	Qty	Description	Unit Price	Extension
34	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 900	\$ 1,136.48	\$ 1,136.48
35	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 106	\$ 2,970.67	\$ 2,970.67
36	1	Oracle Diagnostics Pack - Named User Plus Perpetual Qty: 106	\$ 312.71	\$ 312.71
37	1	Oracle Internet Application Server Enterprise Edition - Named User Plus Perpetual Qty: 106	\$ 2,188.87	\$ 2,188.87
38	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 106	\$ 312.71	\$ 312.71
39	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 2,132	\$ 25,129.68	\$ 25,129.68
40	1	Oracle Diagnostics Pack - Named User Plus Perpetual Qty: 2,132	\$ 2,645.23	\$ 2,645.23
41	1	Oracle Internet Application Server Enterprise Edition - Named User Plus Perpetual Qty: 2,132	\$ 18,516.58	\$ 18,516.58
42	1	Oracle Real Application Clusters - Named User Plus Perpetual Qty: 2,132	\$ 12,168.06	\$ 12,168.06
43	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 2,132	\$ 2,645.23	\$ 2,645.23
44	1	Oracle Advanced Security - Named User Plus Perpetual Qty: 345	\$ 2,928.97	\$ 2,928.97
45	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 239	\$ 6,425.37	\$ 6,425.37
46	1	Oracle Diagnostics Pack - Named User Plus Perpetual Qty: 239	\$ 1,014.54	\$ 1,014.54
47	1	Oracle Internet Application Server Enterprise Edition - Named User Plus Perpetual Qty: 239	\$ 4,734.49	\$ 4,734.49
48	1	Oracle Real Application Clusters - Named User Plus Perpetual Qty: 239	\$ 3,111.22	\$ 3,111.22
49	1	Oracle Real Application Clusters - Named User Plus Perpetual Qty: 106	\$ 1,401.46	\$ 1,401.46
50	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 239	\$ 676.35	\$ 676.35
51	1	Oracle GoldenGate - Named User Plus Perpetual Qty: 24,241	\$ 48,039.47	\$ 48,039.47

SOUTH TEXAS COLLEGE
13. ORACLE LICENSE MAINTENANCE AGREEMENT

NAME			Oracle America, Inc.	
#	Qty	Description	Unit Price	Extension
52	1	Oracle Advance Security-Named User Plus Perpetual Qty: 1703	\$ 3,295.31	\$ 3,295.31
53	1	Oracle Database Enterprise Edition - Named User Plus Perpetual Qty: 1703	\$ 10,435.19	\$ 10,435.19
54	1	Oracle Diagnostics Pack - Names User Plus Perpetual Qty: 1703	\$ 1,647.66	\$ 1,647.66
55	1	Oracle GoldenGate - Named User Plus Perpetual Qty: 1703	\$ 3,844.57	\$ 3,844.57
56	1	Oracle Internet Application Server Enterprise Ed User Plus Perpetual Qty: 1703	\$ 7,689.13	\$ 7,689.13
57	1	Oracle Real Application Clusters - Named User Plus Perpetual Qty: 1703	\$ 5,052.90	\$ 5,052.90
58	1	Oracle Tuning Pack - Named User Plus Perpetual Qty: 1703	\$ 1,098.40	\$ 1,098.40
TOTAL AMOUNT			\$	550,248.65

SOUTH TEXAS COLLEGE
14. PUBLIC WEBSITE HOSTING SERVICES AGREEMENT

NAME			Rackspace US, Inc.	
ADDRESS			1 Fanatical Pl	
CITY/STATE/ZIP			San Antonio, TX 78218	
PHONE			210-312-4325	
CONTACT			Aric Morgan	
#	Qty	Description	Unit Price	Extension
1	12	Public Website Hosting Services Agreement Period: 9/1/22 - 8/31/23	\$ 6,666.66	\$ 79,999.92
TOTAL AMOUNT			\$	79,999.92

SOUTH TEXAS COLLEGE

15. SERVER HARDWARE MAINTENANCE AND SUPPORT AGREEMENT

NAME			Dell Marketing, LP.	
ADDRESS			P O Box 676021	
CITY/STATE/ZIP			Dallas, TX 75267	
PHONE			800-456-3355	
CONTACT			Jose Ramirez	
#	Qty	Description	Unit Price	Extension
1	1	Server Hardware Maintenance and Support Agreement Period: 9/1/22 - 8/31/23	\$ 147,724.67	\$ 147,724.67
TOTAL AMOUNT			\$	147,724.67

SOUTH TEXAS COLLEGE
16. SUPPORT SERVICES AGREEMENT

NAME			Ellucian Company, LP.	
ADDRESS			4375 Fair Lakes Ct	
CITY/STATE/ZIP			Fairfax, VA 22033	
PHONE			610-578-5218	
CONTACT			Diane Dougherty	
#	Qty	Description	Unit Price	Extension
1	1	Support Services Agreement - Advantage Plus Support Upgrade Period: 9/1/22 - 8/31/23	\$ 31,186.00	\$ 31,186.00
TOTAL AMOUNT			\$	31,186.00

SOUTH TEXAS COLLEGE
17. SYSTEM APPLIANCES MAINTENANCE AGREEMENT

NAME			Netsync Network Solutions, Inc.	
ADDRESS			2500 W Loop S Ste 410	
CITY/STATE/ZIP			Houston, TX 77027	
PHONE			713-218-5000	
CONTACT			Michelle Bailey	
#	Qty	Description	Unit Price	Extension
Period: 9/1/22 - 8/31/23				
1	1	BIG-IP Service: Premium (Level 1-3) SN: F5-SVC-BIG-PRE-L1-3-2-HW Duration: 1.0 Years	\$ 11,203.30	\$ 11,203.30
2	1	BIG-IP Service: Premium (Level 1-3) SN: F5-SVC-BIG-PRE-L1-3-2-HW Duration: 1.0 Years	\$ 11,203.30	\$ 11,203.30
3	1	BIG-IP Service: Premium Virtual Edition Level 1-3 SN: F5-SVC-BIG- VE+PREL13-2-SW Duration: 1.0 Years	\$ 15.30	\$ 15.30
4	1	BIG-IP Service: Premium Virtual Edition Level 1-3 SN: F5-SVC-BIG- VE+PREL13-2-SW Duration: 1.0 Years	\$ 15.30	\$ 15.30
TOTAL AMOUNT			\$	22,437.20

INTERLOCAL COOPERATION AGREEMENT BETWEEN SOUTH TEXAS COLLEGE AND THE COUNTY OF HIDALGO, TEXAS BY AND THROUGH THE HIDALGO COUNTY WIC PROGRAM

This Interlocal Cooperation Agreement (“Agreement”) is made on this the ____day of August, 2022 between SOUTH TEXAS COLLEGE, hereinafter referred to as “STC”, and the COUNTY OF HIDALGO, TEXAS, hereinafter referred to as the “County,” by and through the HIDALGO COUNTY WIC PROGRAM, hereinafter referred to as “HCWP,” each a “Party” and collectively referred to as the “Parties,” pursuant to the provisions of the Texas Interlocal Cooperation Act, Texas Gov’t Code 791.001 et seq. (“Act”), as follows:

WITNESSETH:

WHEREAS, STC is a political subdivision as defined by the Act, is an institution of higher education as defined by Texas Education Code Section 61.003(8), has its principal place of business in Hidalgo County, Texas, and operates various campuses in the Texas Counties of Hidalgo and Starr; and,

WHEREAS, the County of Hidalgo is a local government as defined by the Act and a political subdivision of the State of Texas; and,

WHEREAS, HCWP is a nutrition education program which provides supplemental foods and promotes good health for pregnant, breastfeeding, and postpartum women as well as for infants and children up to the age of five; and,

WHEREAS, STC’s students, faculty and staff would benefit from receiving the services provided by HCWP including, without limitation, breastfeeding support, referrals to obtain medical, dental and various services offered by other agencies and organizations, supplemental foods for qualifying participants, and counseling for individuals at high risk for health-related problems; and,

WHEREAS, HCWP operates a whole mobile unit that can provide on-site services to qualifying STC students, faculty and staff located on the various STC campuses, and HCWP desires to provide such services under the terms of this Agreement; and,

WHEREAS, this Agreement will allow a close working relationship between STC and HCWP to provide the services and benefits to qualifying STC students, faculty and staff and allow HCWP to more effectively carryout its missions; and

WHEREAS, STC and the County are authorized to enter into this Agreement pursuant to the Act, which authorizes local governments and political subdivisions to perform governmental functions and services under the terms of this Agreement;

NOW, THEREFORE, in consideration of the mutual promises contained herein, in order for HCWP to provide and for STC to receive the services and benefits described herein, STC and HCWP agree to collaborate and cooperate, as follows:

I. Role and Responsibilities of South Texas College

1. Designate a qualified staff member to serve as the coordinator and liaison between STC and HCWP in connection with all aspects of the services to be provided under this Agreement.
2. Coordinate and work with HCWP to establish mutually acceptable dates and times on which HCWP shall provide services through the use of its mobile unit on the various STC campus locations.
3. Provide adequate parking space within the various STC campuses for the HCWP mobile unit on the dates and times agreed.
4. Provide effective communication and promotion of the HCWP services, including the dates, times and locations of the services, among STC students, faculty and staff.
5. Provide such other services and support as may be necessary to achieve the goals and objectives of this Agreement.

II. Role and Responsibilities of the Hidalgo County WIC Program

1. Designate a representative to serve as the liaison and coordinator between HCWP and STC in connection with all aspects of the services to be provided under this Agreement.
2. Coordinate and work with STC to establish mutually acceptable dates and times on which HCWP shall provide services through the use of its mobile unit on the various STC campus locations.
3. On at least a monthly basis while an STC academic semester is in session, provide the services as described herein, at no charge to STC or STC students, faculty or Staff, on one or more of the following STC campuses depending on the demand for the services: Pecan, Nursing and Allied Health, Technology and Mid-Valley. In addition to STC students, faculty and staff, HCWP may provide services to the general public through the mobile unit while located on an STC campus.

III. Termination and Modification

1. This Agreement is effective upon signature and shall continue in effect until August 31, 2023 unless earlier terminated pursuant to its terms at which time the Agreement will be reviewed for renewal consideration. To be effective and binding, any request for modifications, amendments and/or extensions of this Agreement must be mutually agreed upon, submitted in writing, and signed by the Parties hereto.
2. If a Party materially fails to perform its duties and obligations in accordance with the terms of this Agreement, the other Party may terminate this Agreement upon ten (10) days' advance written notice of termination setting forth the nature of the material failure. The termination will not be effective if the material failure is fully cured before the end of the 10-day period.

3. Either Party may terminate this Agreement for convenience by giving thirty (30) days' written notice to the other Party.

IV. Acknowledgements

1. Nothing in this Agreement will create or imply an agency relationship between the Parties hereto nor will this Agreement be deemed to constitute a joint venture or partnership between the Parties. Neither the Parties nor their employees will be deemed employees of one another for any purpose. Unless otherwise agreed in writing, signed by the Parties, no Party is entitled to receive any fees, charges, reimbursements, or payments of any kind for the performance of any of the activities, efforts or services arising under the terms of this Agreement.
2. This Agreement is intended solely for the benefit of each of the Parties hereto and does not confer third-party beneficiary rights upon any other person.
3. A waiver by any Party of any breach of any of the terms or conditions of this Agreement shall not be construed as a waiver of any succeeding breach. All rights, remedies and obligations contained in this Agreement shall be cumulative and shall not be in limitation of any other right, remedy or obligation of any party. If any provision of this Agreement, as applied to any party or to any circumstances, shall be adjudged by a court to be void or unenforceable, the same shall in no way affect any other provision of this Agreement or the validity or enforceability of this Agreement.
4. This Agreement constitutes the complete Agreement between Parties relating to the subject matter herein and describes all prior and contemporaneous proposals, Agreements, understandings, representations, and communications, whether oral or written, relating to the subject matter herein.
5. Each term or provision of this Agreement shall be valid and enforced as written to the full extent permitted by law. If any provision of this Agreement is held to be illegal, invalid, or unenforceable under present or future laws effective during the term of this Agreement, such provision shall be fully severable. This Agreement shall remain in full force and effect, unaffected by such severance, provided that the severed provision(s) are not material to the overall purpose and operation of this Agreement.
6. Parties may not use the other Party's name, logo, or likeness in any press release, marketing materials, or other public announcements without receiving that Party's prior written approval.

V. Miscellaneous Provisions

1. **Conflict of Applicable Law.** Nothing in this Agreement shall be construed so as to require the County to act contrary to law, and whenever there is any conflict between and provision of this Agreement and any present or future law, ordinance, or administrative, executive or judicial regulation, order or decree, or amendment thereof, contrary to which the Parties have no legal right to contract, the latter shall prevail, but in such event the affected provision or

provisions of this Agreement shall be modified only to the extent necessary to bring them within the legal requirements and only during the time such conflict exists.

2. **Notice.** Except as may be otherwise specifically provided in this Agreement, all notices, demands, requests or communication required or permitted hereunder shall be in writing and shall either be (i) personally delivered against a written receipt, or (ii) sent by registered or certified mail, return receipt requested, postage prepaid and addressed to the parties at the addresses set forth below, or at such other addresses as may have been theretofore specified by written notice delivered in accordance herewith:

If to South Texas College:

South Texas College
Attention: Dr. Maria E. Rosas
3201 W. Pecan Blvd.
McAllen, TX 78501

If to County:

Hidalgo County
Attention: Richard Cortez, County Judge
100 East Cano St., 2nd Floor
Edinburg, TX 78539

If to Hidalgo County WIC Program:

Hidalgo County Sheriff's Office
Attention: Clarissa Ramirez
3105 W. University Drive
Edinburg, TX 78539

Each notice, demand, request or communication which shall be delivered or mailed in the manner described above shall be deemed sufficiently given for all purposes at such time as it is personally delivered to the addressee or, if mailed, at such time as it is deposited in the United States mail.

3. **Texas Law to Apply.** To the extent authorized by the Constitution and the laws of the State of Texas, STC shall indemnify and hold harmless the County, its elected officials, employees and agents from any and all claims, damages, losses, and expenses including attorney's fees for the defense of any action against the County arising out of, resulting from, or connected with acts or omissions by STC, its agents or employees, under this Agreement.
4. **Immunities.** Neither the County nor STC, via this Agreement, waive governmental immunity from suit, or from liability, except as expressly set forth by the Texas Legislature in the Texas Government Code. The fact that the County and STC have entered into this Agreement shall not in any way, constitute a deliberate waiver of immunity by either entity, which immunities are expressly reserved by both parties.

5. **Successors.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and assigns where permitted by this Agreement.
6. **Assignment.** This Agreement shall not be assignable.
7. **Headings.** The headings and captions contained in this Agreement are solely for convenience reference and shall not be deemed to affect the meaning or interpretation of any provision or paragraph hereof.
8. **Gender and Number.** All pronouns used in this Agreement shall include the other gender, whether used in the masculine, feminine or neuter gender, and singular shall include the plural whenever and as often as may be appropriate.
9. **Authority to Execute.** i) STC warrants that (a) the services contemplated by this Agreement are necessary and authorized for activities that are properly within its statutory functions and programs; (b) it has the authority to contract for the services under authority granted in § 130.022, 130.010, and 130.084, *Texas Education Code*, and Chapter 791, *Texas Government Code*; (3) it has all necessary legal authority and has received all necessary approvals to execute and deliver this Agreement; and (4) the officer signing this Agreement on its behalf is authorized by its governing body to sign this Agreement. ii) the County warrants that (1) it has, through the HCWP authority to perform the services under authority granted in Chapter 791, *Texas Government Code*; (2) it has all necessary legal authority and has received all necessary approvals to execute and deliver this Agreement; and (3) the officer signing this Agreement on its behalf is authorized by its governing body to sign this Agreement. The Parties agree that this Agreement constitutes the valid and enforceable obligations of STC and the County in accordance with its terms.
10. **Performance of Governmental Functions.** Each Party hereto is entering into this Agreement for the purpose of providing governmental services or functions and will pay for such services out of current revenues available to the paying party as herein provided.
11. **Liabilities.** This Agreement is not intended to extend the liability of the Parties beyond that provided by law. Neither STC nor the County waive, nor shall be deemed to have hereby waived, any immunity or defenses that would otherwise be available to it against claims arising from third parties.
12. **Additional Documents.** The Parties agree that they will use reasonable, good faith efforts to execute each such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the terms of this Agreement.
13. **Non-Discrimination.** The services to be provided under this Agreement and all related activities shall be conducted in a manner that does not discriminate against any person on a basis prohibited by applicable law, STC policy, or County policy including, without limitation, race, color, national origin, religion, sex, age, veteran status, or disability.

14. **Commitment of Current Revenues.** In the event that during any term hereof, the governing body of any Party does not appropriate sufficient funds to meet the obligations of such Party under this Agreement, then any party may terminate this Agreement upon ninety (90) days written notice to the other party. Each of the Parties hereto agrees, however, to use its best efforts to secure funds necessary for the continued performance of this Agreement. The Parties intend this provision to be a continuing right to terminate this Agreement at the expiration of each budget period of each party.

WITNESS THE HANDS OF THE PARTIES effective as of the day and year first written above.

SOUTH TEXAS COLLEGE

By:

Ricardo J. Solis, President

HIDALGO COUNTY, TEXAS

By:

Richard Cortez, County Judge

HIDALGO COUNTY WIC PROGRAM

By:

Clarissa Ramirez, Director

ATTEST:

By:

Arturo Guajardo, Jr., County Clerk

APPROVED AS TO FORM:

Office of Criminal District Attorney
Ricardo Rodríguez, Jr.

By:

Review and Recommend Action on Vendor Registration on the Electronic Bids and Proposals System for Receiving Notification of College Solicitations

Approval of vendor registration on the Electronic Bids and Proposals System for receiving notification of College Solicitations will be requested at the August 23, 2022 Board of Trustees meeting.

Purpose – To allow vendors the option to register on the College's Electronic Bids and Proposal System, Bonfire, to receive notifications of College solicitations. Vendors will be notified via email when solicitations of the services or products they are registered for are available. Vendors also receive due date reminders via email from the System.

Justification – The College's Bonfire Electronic Bids and Proposal System that is currently used for the online evaluation of bids and proposals by the evaluation committee and to store and manage contracts electronically, may also be used as an option to notify registered vendors of College solicitations, such as Request for Proposals (RFPs) or Request for Qualifications (RFQs).

Background - On May 10, 2022, the Facilities Committee members instructed Administration to discontinue the practice of using vendor information previously gathered entirely and solely rely on the legally required public advertisement for issuing bids, proposals, and qualifications.

Due to the recent decline in vendor responses to College solicitations, Administration is requesting that in addition to the required advertisement, vendors be granted the option to register online in the College's Bonfire system to receive email notifications of the solicitations. Once registered in the system, vendors will receive email notifications of solicitations related to their selected commodities

The Purchasing Department purchased the Bonfire system in November 2020 to receive bids and proposals electronically, conduct committee online evaluations, and maintain and manage contracts. The system is not currently used to receive bids and proposals electronically.

The vendors that do not wish to register online, may submit a hard copy of the registration information to the Purchasing Department via email, mail, or in person.

Mary Elizondo, Vice President for Finance and Administrative Services and Becky Cavazos, Director of Purchasing will be present at the Committee meeting to address any questions by the Committee.

It is requested that the Finance, Audit, and Human Resources Committee recommend for Board approval at the August 23, 2022 Board meeting, vendor registration on the Electronic Bids and Proposals System for receiving notification of College Solicitations as presented.

Review and Recommend Action on Evaluation Criteria for Competitive Procurement of Products, Services, and Products and Services

Approval of evaluation criteria for competitive procurement of products, services, and products and services will be requested at the August 23, 2022 Board meeting.

Purpose –To update the evaluation criteria used by the College to evaluate the competitive procurement of products, services, and products and services.

Justification – The criteria listed in Section 44.031 of the Texas Education Code was updated to also include:

- (8) for a contract for goods and services, other than goods and services related to telecommunications and information materials, whether the vendor or the vendor's ultimate parent company or majority owner:
 - a. has its principal place of business in this state; or
 - b. employs at least 500 persons in this state;

This criterion can be considered in addition to the previously Board approved criteria used by the College. Administration is requesting to add the new criteria when evaluating the competitive procurement of products, services, and products and services.

Background – The criteria used by the College for evaluating competitive proposals for the purchase of products, services, and products and services, and approved by the Board of Trustees on November 26, 2013, are listed in Section 44.031 of the Texas Education Code and are as follows:

The Board approved criterion is as follows:

#	Criteria
1	the purchase price
2	the reputation of the vendor and of the vendor's goods or services
3	the quality of the vendor's goods or services
4	the extent to which the goods or services meet the district's needs
5	the vendor's past relationship with the district
6	the impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses
7	the total long-term cost to the district to acquire the vendor's goods or services
8	any other relevant factor specifically listed in the request for bids or proposals.

An evaluation point scale or rubric was also approved for each criterion and follows in the packet. Each point scale also includes a score key to assist evaluators in scoring each evaluation criterion.

The current and proposed criteria is as follows:

#	Criteria	Product	Services	Product and Services
Current Criteria				
1	the purchase price	50	40	45
2	the reputation of the vendor and of the vendor's goods or services	10	18	15
3	the quality of the vendor's goods or services	18	18	16
4	the extent to which the goods or services meet the district's needs	18	15	20
5	the vendor's past relationship with the district	3	3	3
6	the impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses	1	1	1
7	the total long-term cost to the district to acquire the vendor's goods or services	**	5	**
Total Points		100	100	100
Proposed Criteria				
8	for a contract for goods and services, other than goods and services related to telecommunications and information materials, whether the vendor or the vendor's ultimate parent company or majority owner: a. has its principal place of business in this state; or b. employs at least 500 persons in this state.	5	5	5
		It is recommended that 3 points be reduced from Criteria 1 and that 2 points be reduced from Criterion 3 for all types of procurement.		
Current Additional Criteria				
9	any other relevant factor specifically listed in the request for bids or proposals.	**Up to 5 points will be used from the purchase price if applicable		

It is requested that the Committee recommend that the Board consider adding the additional criterion to those already in use. Inclusion of this criterion is reasonable as almost all other states' procurement law allows for an advantage to vendors in their state. If the new criterion is adopted, the weight provided may be kept at no greater than five (5) points out of the total one hundred (100) points currently distributed among all the criteria. All vendors, including out-of-state vendors, are a valuable resource to South Texas College for meeting its product and service needs, and assignment of a higher weight may discourage bidding by some out-of-state vendors.

It is further requested that the Committee recommend that the use of the new criterion not be used for those purchases made with federal funds but instead continue to use the criteria and weights previously approved by the Board in 2013. While it is reasonable that vendors from Texas have an advantage when funds are generated from taxpayers within the state, this would not be the case for federal funds. Federal procurement requirements require that competition be encouraged to the maximum extent practical.

Enclosed Documents - The current evaluation criteria and weighted points for the solicitation of products, services, and products and services follow in the packet for Committee's information and review.

Mrs. Mary G. Elizondo, Vice President for Finance and Administrative Services and Becky Cavazos, Director of Purchasing, will be present at the Committee meeting to address any questions by the Committee.

It is requested that the Finance, Audit, and Human Resources Committee recommend for Board approval, at the August 23, 2022 Board meeting, the evaluation criteria for competitive procurement of products, services, and products and services, as presented.

**SOUTH TEXAS COLLEGE
PROPOSAL CRITERIA - PRODUCT**

	Product		
	Points	Score Key	
1 Criterion 1: The purchase price a. The low bidder gets the maximum points b. Divide the lowest proposal by each of the other proposal(s)	50		
2 Criterion 2: The reputation of the vendor and of the vendor's goods or services a. Number of Years in Business b. References (similar projects)	10	8-10 5-7 2-4 0-1	Excellent Acceptable Marginal Poor/No Response
3 Criterion 3: The quality of the vendor's goods or service a. Warranty b. Service Support/Response Time c. Goods/Product (manufacturer life) d. Product Performance	18	14-18 9-13 4-8 0-3	Excellent Acceptable Marginal Poor/No Response
4 Criterion 4: The extent to which the goods or services meet the district's needs a. Delivery Time Frame of product(s) b. Meet or exceed the specifications	18	14-18 9-13 4-8 0-3	Excellent Acceptable Marginal Poor/No Response
5 Criterion 5: The vendor's past relationship with the district a. Quality of Past Performances with STC ****New Vendors will receive two points	3	3 2 1 0	Excellent Acceptable/New Vendor Marginal Poor/No Response
6 Criterion 6: The impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses a. Provided the Certification	1	1 0	Yes No
7 Criterion 7: The total long-term cost to the district to acquire the vendor's goods or services a. Annual Maintenance Cost b. Annual Escalation Increase			Up to 5 points will be used from the purchase price if applicable
8 Criterion 8: Any other relevant factor specifically listed in the request for bids or proposals, e.g.: a. Financial Standing b. Potential or Pending Sale of Business c. Trade-In of outdated equipment			Up to 5 points will be used from the purchase price if applicable
Total Points		100	

Definitions of evaluation terms:

- Excellent - respondent provided information which fully addressed or exceeded the requirements
- Acceptable - respondent provided information which addressed most but not all of the requirements
- Marginal - respondent provided minimal information on requirements
- Poor/No response - respondent provided inadequate responses to requirements or did not respond

**SOUTH TEXAS COLLEGE
PROPOSAL CRITERIA - SERVICE**

		Service	
		Points	Score Key
1	Criterion 1: The purchase price a. The low bidder gets the maximum points b. Divide the lowest proposal by each of the other proposal(s)	40	
2	Criterion 2: The reputation of the vendor and of the vendor's goods or services a. Number of Years in Business b. References (similar projects) c. Services/Installation d. Professional Licenses/Certifications	18	15-18 10-14 5-9 0-4 Excellent Acceptable Marginal Poor/No Response
3	Criterion 3: The quality of the vendor's goods or service a. Warranty b. Service Support/Response Time c. Goods/Product (manufacturer life) d. Product Performance	18	15-18 10-14 5-9 0-4 Excellent Acceptable Marginal Poor/No Response
4	Criterion 4: The extent to which the goods or services meet the district's needs a. Time Frame to complete the project b. Delivery Time Frame of product(s) c. Number of staff d. Meet or exceed the specifications	15	12-15 7-11 3-6 0-2 Excellent Acceptable Marginal Poor/No Response
5	Criterion 5: The vendor's past relationship with the district a. Quality of Past Performances with STC ****New Vendors will receive two points	3	3 2 1 0 Excellent Acceptable/New Vendor Marginal Poor/No Response
6	Criterion 6: The impact on the ability of the district to comply with laws and rules relating to Historically Underutilized Businesses a. Provided the Certification	1	1 0 Yes No
7	Criterion 7: The total long-term cost to the district to acquire the vendor's goods or services; and a. Annual Escalation Increase b. Annual Maintenance Cost	5	5 3-4 1-2 0 Excellent Acceptable Marginal Poor/No Response
8	Criterion 8: Any other relevant factor specifically listed in the request for bids or proposals, e.g.: a. Financial Standing b. Potential or Pending Sale of Business		Up to 5 points will be used from the purchase price if applicable
Total Points		100	

Definitions of evaluation terms:

- Excellent** - respondent provided information which fully addressed or exceeded the requirements
- Acceptable** - respondent provided information which addressed most but not all of the requirements
- Marginal** - respondent provided minimal information on requirements
- Poor/No response** - respondent provided inadequate responses to requirements or did not respond

**SOUTH TEXAS COLLEGE
PROPOSAL CRITERIA - PRODUCT AND SERVICE**

		Product and Service	
		Points	Score Key
1	Criterion 1: The purchase price a. The low bidder gets the maximum points b. Divide the lowest proposal by each of the other proposal(s)	45	
2	Criterion 2: The reputation of the vendor and of the vendor's goods or services a. Number of Years in Business b. References (similar projects) c. Services/Installation d. Professional Licenses/Certifications	15	13-15 8-12 3-7 0-2 Excellent Acceptable Marginal Poor/No Response
3	Criterion 3: The quality of the vendor's goods or service a. Warranty b. Service Support/Response Time c. Goods/Product (manufacturer life) d. Product Performance	16	13-16 8-12 3-7 0-2 Excellent Acceptable Marginal Poor/No Response
4	Criterion 4: The extent to which the goods or services meet the district's needs a. Time Frame to complete the project b. Delivery Time Frame of product(s) c. Number of staff d. Meet or exceed the specifications	20	16-20 11-15 6-10 0-5 Excellent Acceptable Marginal Poor/No Response
5	Criterion 5: The vendor's past relationship with the district a. Quality of Past Performances with STC ****New Vendors will receive two points	3	3 2 1 0 Excellent Acceptable/New Vendor Marginal Poor/No Response
6	Criterion 6: The impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses a. Provided the Certification	1	1 0 Yes No
7	Criterion 7: The total long-term cost to the district to acquire the vendor's goods or services; and a. Annual Escalation Increase b. Annual Maintenance Cost		Up to 5 points will be used from the purchase price if applicable
8	Criterion 8: Any other relevant factor specifically listed in the request for bids or proposals a. Financial Standing b. Potential or Pending Sale of Business c. SAS 70 d. Red Flag Rules e. Gramm-Leach-Bliley Act		Up to 5 points will be used from the purchase price if applicable
Total Points		100	

Definitions of evaluation terms:

- Excellent** - respondent provided information which fully addressed or exceeded the requirements
- Acceptable** - respondent provided information which addressed most but not all of the requirements
- Marginal** - respondent provided minimal information on requirements
- Poor/No response** - respondent provided inadequate responses to requirements or did not respond

Update on Staffing Plan and Pay Plan for FY 2022 – 2023

The Office of Human Resources continues to incorporate the results and recommendations of the TASB Compensation Study into a new Staffing Plan and a new Pay Plan for FY 2022 – 2023. This process has included a thorough review of each employee for compensation equity, as well as a significant restructuring of position classifications at South Texas College.

Administration is still working to finalize details in both the Staffing Plan and Pay Plan, and they are not yet ready for presentation to the Finance, Audit, and Human Resources Committee for a recommendation of Board approval. Once these documents are finalized, the compensation totals will be incorporated into the Budget, which will be balanced before presentation to the Committee. This will not be accomplished in time for the August 9, 2022 committee meeting date.

Administration will request a special Finance, Audit, and Human Resources Committee meeting on Tuesday, August 23, 2022 to thoroughly discuss the Staffing Plan, Pay Plan, and Budget prior to formal action by the Board of Trustees.

No action is requested at this time.

Discussion and Action as Necessary to Extend the Current Pilot for the Four-and-a-Half-Day Work Week Schedule Starting August 1, 2022 and Ending on August 31, 2023

Approval to extend the current pilot for the four-and-a-half-day work week schedule starting August 1, 2022 and ending August 31, 2023, will be presented at the August 9, 2022 Special Board Meeting.

Purpose – To revise working hours starting on August 1, 2022 and ending on August 31, 2023, to a four-and-a-half-day work week schedule, while still meeting the forty (40) hour work week requirement. This time period will address the entire Fiscal Year of 2022-2023.

Justification – The modified work week schedule is a common practice in community colleges and is recognized as a cost reduction measure and an incentive for employees.

Background – On April 13, 2022, a survey was released to all employees to gain feedback regarding interest in the four-and-a-half-day work week. Feedback was positive and the four-and-a-half-day work week pilot was launched on May 16, 2022 after Board approval at the May 12, 2022 Special Board meeting. At that May 2022 meeting, the Board instructed administration to provide an update and any recommendation regarding potential extension of the schedule into the following academic year.

To prepare the Board update, second survey was released on June 27, 2022 to gain feedback from employees regarding the actual experience of the four-and-a-half-day work week. Feedback was again positive and 83% of employees who responded showed interest in extending the schedule and 7% of employees responded that they were neutral.

At the July 26, 2022 Regular Board Meeting, the Board requested additional information, specifically regarding potential adverse impact to the students, if this schedule were to be extended through the following year. The Board approved an extension of the four-and-a-half-day work week for two weeks, to provide time for further review, asking for an update at the August 9, 2022 Special Board Meeting.

Anticipated Student Impact

Administration continually collects and monitors student traffic, including usage of specific resources and services and periods of high demand. Areas that see periods of high demand include registration, advising, and financial aid during enrollment periods, and library and tutoring services throughout the academic semester.

Prior to any four-and-a-half-day work week scheduling, administration provided teams the flexibility to schedule as necessary to meet anticipated student demand, including extended hours into evenings and on weekends as necessary. During the recent pilot period utilizing the four-and-a-half-day work week, leadership continued to monitor traffic to ensure students' needs were met.

Online and after-hours services are also provided to ensure student requests for services are received, tracked, and responded to by appropriate departments.

Administration has noted that historically, there has been a very low demand for student facing services on Friday afternoons throughout most of the year. During those periods when high student demand is expected, flexible scheduling is routinely used to meet that demand. Additionally, online and on-call options are provided to students who require services after-hours, including on Friday afternoons.

Administration anticipates no significant negative impact to students from the proposed continuation of the four-and-a-half-day work week into the Fall 2022 semester or beyond.

While the data is not yet ready at the time of publication of this packet, Matthew Hebbard, Vice President for Student Affairs and Enrollment Management, will be available to present current data regarding the booking of appointments for financial aid and enrollment offices to help identify trends in student traffic during a high-enrollment period.

Adjustments to schedules will be made at the discretion and approval of individual supervisors responsible to ensure students' needs are met, and monitored by executive administration.

Reviewers - The proposed modified work week schedule has been reviewed by administrative staff and cabinet members.

Mary Elizondo, Vice President for Finance and Administrative Services, and Matthew Hebbard, Vice President for Student Affairs and Enrollment Management, will be present at the Committee Meeting to address any questions by the Committee.

It is requested that the Finance, Audit, and Human Resources Committee recommend for Board approval at the August 9, 2022 Special Board meeting to extend the current for the four-and-a-half-day work week schedule for August 1, 2022 through August 31, 2023.

Review and Discussion of South Texas College Proposed 2022 Tax Year Tax Rate

Chapter 26 of the Property Tax code requires taxing units to comply with truth-in-taxation laws in adopting the tax rate. The laws have two purposes: to make taxpayers aware of tax rate proposals and to allow taxpayers, in certain cases, to roll back or limit a tax increase. The truth-in-taxation requires a taxing unit to calculate two (2) tax rates, no-new-revenue tax rate and the voter-approval tax rate, after receiving its certified appraisal roll from the chief appraiser.

Comparing a proposed tax rate to these two (2) rates determines which truth-in-taxation steps apply. A taxing unit must publish special notices and hold a public hearing before adopting a tax rate that exceeds the no-new-revenue rate and/or the voter-approval rate. The College is proposing to adopt a tax rate that does exceed the no-new-revenue tax rate but does not exceed the voter-approval tax rate and therefore, is required to hold a public hearing.

The Texas Tax Code 26.04(e) requires the taxing units to publish a Notice of Tax Rate and sets out the requirement for the format and content of the notice. The notice shall be posted prominently on the home page of the taxing unit’s website in the form prescribed by the Texas State Comptroller’s office that include the statutory requirements. In addition, the Texas Tax Code 26.06(c) requires the taxing unit to publish a Notice of Public Hearing in newspaper, website and on TV, if available, if the taxing unit proposes a tax rate that:

- Exceeds the no-new-revenue tax rate and the voter-approval tax rate;
- Exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate; or
- Does not exceed the no-new-revenue tax rate but exceeds the voter-approval tax rate.

The compiled data for both counties and the Truth-in-Taxation calculation used to determine the tax rates is reflected below:

	M&O RATE	DEBT RATE	RATE	REVENUE
No-New-Revenue Tax Rate (Formerly Effective Tax Rate)			\$0.1572	\$79,363,113
Voter-Approval Tax Rate (Formerly Rollback Tax Rate)	\$0.1388	\$0.0227	\$0.1615	\$81,351,314
Proposed Tax Rate	\$0.1388	\$0.0227	\$0.1615	\$81,351,314

On November 5, 2013, the voters approved a maximum rate for maintenance and operations (M&O) tax rate of \$0.1400 for the College. The proposed Levy 2022 maintenance and operations (M&O) tax rate of \$0.1388 is lower than the maximum rate approved by the voters.

The proposed debt rate of \$0.0227 is the amount necessary to fully fund all the debt service payments for the 2013 Limited Tax Bonds that consist of the Bonds Series 2014 and Series 2015, and the Refunding Bonds Taxable Series 2020 and Taxable Series 2021.

Use of Interest and Sinking Reserve Funds

The Vice President for Financial Administrative Services and Business Office staff met with Estrada Hinojosa & Company, Inc. to address options to continue using the Interest and Sinking reserved funds available. The following options were discussed with Estrada Hinojosa & Company, Inc.:

- Option 1 – Use the Interest and Sinking reserve funds to lower the debt tax rate.
- Option 2 – Do not use the Interest and Sinking reserve for potential bond election to be held prior to FY 2025 when the tax rate will decrease because two bond issuances will be paid off resulting in a decreased debt requirement.

All calculations are based on Option 1, using the Interest and Sinking reserve funds.

Dr. Miguel De Los Santos, Estrada Hinojosa & Company, Inc. will be present at the Committee Meeting to discuss the options of using the Interest and Sinking Reserve funds.

South Texas College is required to hold a public hearing and publish special notices before adopting the proposed tax rate of \$0.1615 since this tax rate does exceed the no-new-revenue tax rate but does not exceed the voter-approval tax rate.

In fiscal year 2022, South Texas College held a public hearing and published special notices before adopting the tax rate of \$0.1715. The tax rates in 2021 were \$0.1400 cents for M&O and \$0.0315 for I&S.

The Notice of 2022 Tax Rates and a presentation on Proposed 2022 Property Tax Rate follow in the packet for your information and review.

No action is required from the Board. This item is presented for information and feedback to staff.

Notice about 2022 Tax Rates

Property tax rates in South Texas College.

This notice concerns the 2022 property tax rates for South Texas College. This notice provides information about two tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per \$100 of property value.

This year's no-new-revenue tax rate	\$0.1572/\$100
This year's voter-approval tax rate	\$0.1615/\$100

To see the full calculations, please visit South Texas College for a copy of the Tax Rate Calculation Worksheet.

Unencumbered Fund Balances

The following estimated balances will be left in the taxing unit's accounts at the end of the fiscal year. These balances are not encumbered by corresponding debt obligation.

Type of Fund	Balance
Interest and Sinking Account	15,156,973

Current Year Debt Service

The following amounts are for long-term debts that are secured by property taxes. These amounts will be paid from upcoming property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
Limited Tax Bonds, Series 2014	2,760,000	138,000	0	2,898,000
Limited Tax Bonds, Series 2015	5,465,000	445,450	0	5,910,450
Limited Tax Refunding Bonds, Taxable Series 2020	375,000	1,680,850	0	2,055,850
Limited Tax Refunding Bonds, Taxable Series 2021	235,000	2,099,223	0	2,334,223

Total required for 2022 debt service	\$13,198,523
- Amount (if any) paid from funds listed in unencumbered funds	\$2,600,000
- Amount (if any) paid from other resources	\$0
- Excess collections last year	\$0
= Total to be paid from taxes in 2022	\$10,598,523
+ Amount added in anticipation that the unit will collect only 100.94% of its taxes in 2022	\$-98,699
= Total debt levy	\$10,499,824

This notice contains a summary of actual no-new-revenue and voter-approval calculations as certified by Mary G. Elizondo, Vice President for Finance and Administrative Services on 08/04/2022 .

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

Proposed 2022 Property Tax Rates

Finance, Audit, and Human Resources Committee
August 9, 2022



1

Revisions to Truth-in-taxation Provisions

Senate Bill 2, 86th Legislative Session made revisions to the truth-in-taxation process.

- Revisions to the terminology.
- Revisions to the public hearing requirement from two to one public hearing.
- Tax Assessors shall include in their webpage the College's designated officer contact information.
- Conditions when adopted tax rate will trigger an election or petition.

2

Revisions to Terminology

Effective Tax Rate	➔	No-New-Revenue Tax Rate
Rollback Tax Rate	➔	Voter-Approval Tax Rate
Maintenance & Operations Tax Rate	➔	No-New Revenue Maintenance & Operations (M&O) Rate

3

New Terminology


No-New-Revenue Tax Rate
The rate that will generate the same amount of tax revenue if applied to the same properties taxed in both years.

Voter-Approval Tax Rate
The rate is the maximum rate allowed by law without requiring a petition or voter approval election.

No-New-Revenue Maintenance & Operations (M&O) Rate
The rate that will generate the same amount of Maintenance & Operations tax revenue if applied to the same properties taxed in both years.

4

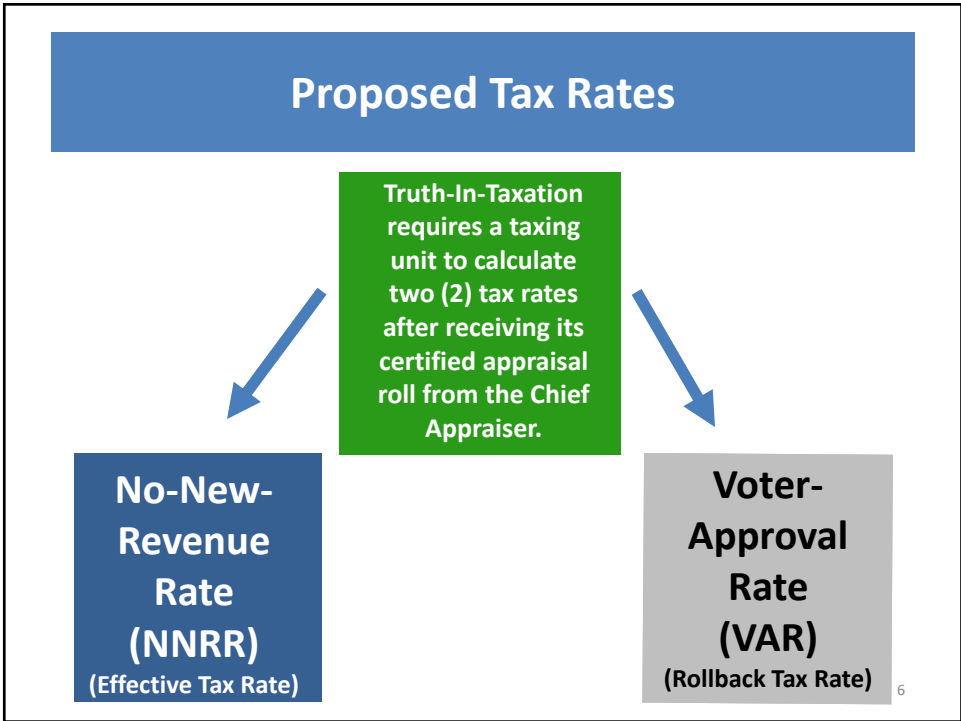
Proposed Tax Rates



Chapter 26 of the Property Tax Code requires taxing units to comply with truth-in-taxation laws in adopting the tax rate.

Truth in taxation is designed to inform the public of increases in total tax revenues assessed by taxing units.

5



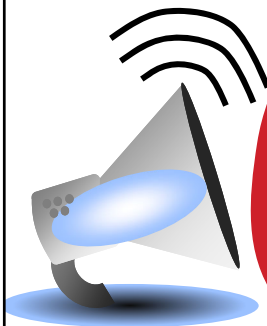
Special Notices & Public Hearing Requirement

A taxing unit must publish special notices and hold one public hearing before adopting a tax rate if the taxing unit proposes a tax rate that:

- Exceeds the no-new-revenue tax rate and the voter-approval tax rate;
- Exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate; or
- Does not exceed the no-new-revenue tax rate but exceeds the voter-approval tax rate

7

Proposed Total Tax Rate: \$0.1615



The College is required to hold one public hearing and publish special notices before adopting the proposed tax rate since the proposed rate (\$0.1615) does exceed the lower of:

- the no-new-revenue rate of (\$0.1572) but does not exceed
- the voter-approval rate of (\$0.1615)

8

Tax Rates Calculations

	M&O Rate	Debt Rate	Rate	Revenue
No-New-Revenue Rate (Formerly Effective Tax Rate)			\$0.1572	\$79,363,113
Voter-Approval Rate (Formerly Rollback Tax Rate)	\$0.1388	\$0.0227	\$0.1615	\$81,351,314
Proposed Tax Rate	\$0.1388	\$0.0227	\$0.1615	\$81,351,314

9

- ### Required Steps
- July 25, 2022 – Deadline for chief appraiser to certify rolls to taxing units
 - Certification of anticipated collection rate by collector
 - Calculation of no-new-revenue and voter-approval tax rates
 - August 17, 2022 – Notice About 2022 Tax Rates published on South Texas College website
 - August 23, 2022 – Meeting of governing body to discuss tax rate
 - August 23, 2022 – The recommended proposed tax rate does exceed the lower of the no-new-revenue but does not exceed the voter-approval tax rate, take record vote and schedule one public hearing
- 10

Required Steps

- September 14, 2022 – Publish Notice of Public Hearing on Tax Increase
- September 23, 2022 – Schedule and announced meeting to adopt tax rate
- September 27, 2022 – Public Hearing
- September 27, 2022 – Meeting to adopt tax rate

11

Thank You Questions?



12

Review and Recommend Action To Recommend Record Vote and Schedule A Public Hearing Regarding Adoption of the Proposed Tax Rate that Exceeds the No-New-Revenue Tax Rate and/or the Voter-Approval Tax Rate

Approval to recommend record vote and schedule a public hearing regarding adoption of the proposed tax rate that exceeds the no-new-revenue tax rate and/or the voter-approval tax rate will be requested at the August 23, 2022 Board meeting.

A taxing unit is required to hold a public hearing and publish newspaper ads before adopting a tax rate if that tax rate exceeds the no-new-revenue tax rate and/or the voter-approval tax rate. The Tax Assessors for Hidalgo County and Starr County determined South Texas College’s rates to be the following:

	M&O RATE	DEBT RATE	RATE	REVENUE
No-New-Revenue Tax Rate (Formerly Effective Tax Rate)			\$0.1572	\$79,363,113
Voter-Approval Tax Rate (Formerly Rollback Tax Rate)	\$0.1388	\$0.0227	\$0.1615	\$81,351,314
Proposed Tax Rate	\$0.1388	\$0.0227	\$0.1615	\$81,351,314

The proposed tax rate exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate and, therefore, the Board must take record vote and schedule a public hearing.

The Notice of Public Hearing and the Roll Call Vote of Members of the Board form follow in the packet for the Committee’s information and review.

It is requested that the Finance, Audit, and Human Resources Committee recommend for Board approval at the August 23, 2022 Board meeting, to take a record vote and schedule a public hearing, on September 27, 2022 at 5:15 PM before adopting the proposed tax rate of \$0.1615 which exceeds the no-new-revenue rate and/or the voter-approval tax rate.

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of \$0.1615 per \$100 valuation has been proposed by the governing body of South Texas College.

PROPOSED TAX RATE	\$0.1615 per \$100
NO-NEW-REVENUE TAX RATE	\$0.1572 per \$100
VOTER-APPROVAL TAX RATE	\$0.1615 per \$100

The no-new-revenue tax rate is the tax rate for the 2022 tax year that will raise the same amount of property tax revenue for South Texas College from the same properties in both the 2021 tax year and the 2022 tax year.

The voter-approval rate is the highest tax rate that South Texas College may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that South Texas College is proposing to increase property taxes for the 2022 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 27, 2022 AT 5:15 PM AT South Texas College Board Room Annex Bldg 2nd Floor 3201 W. Pecan, McAllen, Texas.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, South Texas College is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the South Texas College of South Texas College at their offices or by attending the public hearing mentioned above. YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

FOR the proposal:

AGAINST the proposal:

PRESENT and not voting:

ABSENT:

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by South Texas College last year to the taxes proposed to be imposed on the average residence homestead by South Texas College this year.

	2021	2022	Change

Total tax rate (per \$100 of value)	\$0.1715	\$0.1615	decrease of -0.0100, or -5.83%
Average homestead taxable value	\$94,462	\$111,009	increase of 16,547, or 17.52%
Tax on average homestead	\$162.00	\$179.28	increase of 17.28, or 10.67%
Total tax levy on all properties	\$70,908,004	\$74,673,109	increase of 3,765,105, or 5.31%

For assistance with tax calculations, please contact the tax assessor for South Texas College at 956-872-3558 or marye@southtexascollege.edu, or visit www.southtexascollege.edu for more information.

Roll Call Vote of Members of the Board

Take Record Vote to Schedule A Public Hearing for Proposed Tax Rate that Exceeds the No-New-Revenue Tax Rate and it is less than or equal to the Voter-Approval Tax Rate

Public Hearing – September 27, 2022 at 5:15 p.m.

August 23, 2022

Rose Benavidez:	Yea _____	Nay _____	Absent _____
Alejo Salinas, Jr.:	Yea _____	Nay _____	Absent _____
Victoria Cantú:	Yea _____	Nay _____	Absent _____
Paul R. Rodriguez:	Yea _____	Nay _____	Absent _____
Dalinda Gonzalez-Alcantar:	Yea _____	Nay _____	Absent _____
Rene Guajardo:	Yea _____	Nay _____	Absent _____
Danny Guzman:	Yea _____	Nay _____	Absent _____

Review and Recommend Acceptance of Internal Auditor’s Annual Statement of Organizational Independence

Mr. Khalil Abdullah, Internal Auditor, will confirm the organizational independence of the internal audit activity to the Finance, Audit, and Human Resources Committee as required by applicable IIA *Standard* 1110 as listed below.

The audit organization and the individual auditor should be free in both fact and appearance from personal, external, and organizational impairments to independence. Internal auditors are independent when they can carry out their work freely and objectively. Independence permits internal auditors to render the impartial and unbiased judgments essential to the proper conduct of audits. It is achieved through organizational structure and objectivity.

South Texas College’s Office of Internal Audits expects our auditors to comply with professional standards and internal policies and procedures; maintain independence of mental attitude in the conduct of all assigned work; to be objective, fair, and impartial; and to conduct themselves so that auditees and third parties will see our office in this way. Each staff member must promptly notify the Chief Audit Executive (CAE), in writing, concerning any situation that would impair the staff member’s or the office’s independence on an audit, or that might lead others to question it. The Chief Audit Executive (CAE) describes the person responsible for effectively managing the internal audit activity. At South Texas College, those responsibilities reside with the Internal Auditor.

IIA Standard 1110 *Organizational Independence* – The CAE must report to a level within the organization that allows the internal audit activity to fulfill its responsibilities. The CAE must confirm to the board, at least annually, the organizational independence of the internal audit activity.

IIA Standard 1100 *Independence and Objectivity* – The internal audit activity must be independent, and internal auditors must be objective in performing their work.

Interpretation of Standard 1100 – “Independence is the freedom from conditions that threaten the ability of the internal audit activity to carry out internal audit responsibilities in an unbiased manner. To achieve the degree of independence necessary to effectively carry out the responsibilities of the internal audit activity, the chief audit executive has direct and unrestricted access to senior management and the board. This can be achieved through a dual-reporting relationship. Threats to independence must be managed at the individual auditor, engagement, functional, and organizational levels. Objectivity is an unbiased mental attitude that allows internal auditors to perform engagements in such a manner that they believe in their work product and that no quality compromises are made. Objectivity requires that internal auditors do not subordinate their judgment on audit matters to others. Threats to objectivity must be managed at the individual auditor, engagement, functional, and organizational levels.”

The Finance, Audit, and Human Resources Committee is asked to recommend Board acceptance of the Internal Auditor’s Statement of Organizational Independence as presented.



Office of Internal Audits

3201 W. Pecan Blvd.
McAllen, TX 78501
(956) 872-6709
kabdullah@southtexascollege.edu

Internal Auditor's Annual Statement of Organizational Independence

As required by the Institute of Internal Auditor's (IIA) *International Standards for the Professional Practice of internal Auditing (Standards)*, The chief audit executive (CAE)¹ "must confirm to the board, at least annually, the organizational independence of the internal audit activity" (Attribute Standard 1110); and "must communicate and interact directly with the board" (Attribute Standard 1111); and "should discuss the Mission of Internal Audit and the mandatory elements of the International Professional Practices Framework with senior management and the board" (Attribute Standard 1010);

In conjunction with the Internal Auditor's responsibilities for coordinating the effective auditing and reporting audit activities to South Texas College's Finance, Audit, and Human Resources Committee, the Internal Auditor will report annually to the Finance, Audit, and Human Resources Committee on the following statements to fulfill adherence with IIA *Standards*.

Internal Auditor: Khalil M. Abdullah

Institution: South Texas College

I confirm that an annual departmental process is in place to certify that South Texas College's internal auditors, including myself, will comply with the IIA *Standards* and Code of Ethics, which contains guidance on confidentiality. This process includes a discussion with Finance, Audit, and Human Resources Committee as appropriate.

I confirm the organizational independence of the internal audit activity at the institution. In addition, I confirm that an annual departmental process is in place to certify that South Texas College's internal auditors, including myself, have reviewed personal situations with respect to the institution and are not aware of any circumstances that might impair our ability to be independent and objective on any audit or that might lead others to question it.

I understand that I am responsible to make timely written notification to the Finance, Audit, and Human Resources Committee in the event any circumstances arise during the course of the year that might impair or appear to impair independence.

I am receiving support for audit activities from the President, Vice Presidents, and other employees of South Texas College to provide the necessary audit services, with the following exception(s):

Signature: Khalil M. Abdullah

Date: 6/8/2022

¹ The Chief Audit Executive (CAE) describes the person responsible for effectively managing the internal audit activity. At South Texas College, those responsibilities reside with the Internal Auditor.

Institute of Internal Auditor's (IIA)

Mission of Internal Audit:

To enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight.

Definition of Internal Auditing:

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

Code of Ethics:

The purpose of The Institute's Code of Ethics is to promote an ethical culture in the profession of internal auditing.

Principles

Internal auditors are expected to apply and uphold the following principles:

1. Integrity – The integrity of internal auditors establishes trust and thus provides the basis for reliance on their judgment.
2. Objectivity – Internal auditors exhibit the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined. Internal auditors make a balanced assessment of all the relevant circumstances and are not unduly influenced by their own interests or by others in forming judgments.
3. Confidentiality – Internal auditors respect the value and ownership of information they receive and do not disclose information without appropriate authority unless there is a legal or professional obligation to do so.
4. Competency – Internal auditors apply the knowledge, skills, and experience needed in the performance of internal audit services.

Rules of Conduct

Integrity:

Internal auditors...

- 1.1 Shall perform their work with honesty, diligence, and responsibility.
- 1.2 Shall observe the law and make disclosures expected by the law and the profession.
- 1.3 Shall not knowingly be a part to any illegal activity or engage in acts that are discreditable to the profession of internal auditing or to the organization.
- 1.4 Shall respect and contribute to the legitimate and ethical objectives of the organization

Objectivity:

Internal auditors...

- 2.1 Shall not participate in any activity or relationship that may impair or be presumed to impair their unbiased assessment. This participation includes those activities or relationships that may be in conflict with the interests of the organization.
- 2.2 Shall not accept anything that may impair or be presumed to impair their professional judgment.
- 2.3 Shall disclose all material facts known to them that, if not disclosed, may distort the reporting of activities under review.

Confidentiality:

Internal auditors...

- 3.1 Shall be prudent in the use and protection of information acquired in the course of their duties.
- 3.2 Shall not use information for any personal gain or in any manner that would be contrary to the law or detrimental to the legitimate and ethical objectives of the organization.

Competency:

Internal auditors...

- 4.1 Shall engage only in those services for which they have the necessary knowledge, skills, and experience.
- 4.2 Shall perform internal audit services in accordance with the *International Standards for the Professional Practice of Internal Auditing*.
- 4.3 Shall continually improve their proficiency and the effectiveness and quality of their services.

Review and Recommend Action on Internal Audit Charter

Approval of the Internal Audit Charter for the period of September 1, 2022 through August 31, 2023 will be requested at the August 23, 2022 Board meeting.

Purpose – An Internal Audit Charter is required by the Institute of Internal Auditors (IIA) *Standards*. Specifically, IIA Attribute Standard 1000 states that “The purpose, authority, and responsibility of the internal audit activity must be formally defined in an Internal Audit Charter, consistent with the Definition of Internal Auditing, the Code of Ethics, and the *Standards*. The chief audit executive must periodically review the Internal Audit Charter and present it to senior management and the board for approval.”

Justification – Approval of the Internal Audit Charter aligns South Texas College’s internal audit function with the IIA *Standards* as prescribed in Manual of Policy 5460.

Background – The Internal Audit Charter is a formal document that defines the internal audit activity’s purpose, authority, and responsibility. The charter establishes the internal audit activity’s position within the organization, including the nature of the internal auditor’s functional reporting relationship with the board; authorizes access to records, personnel, and physical properties relevant to the performance of engagements; and defines the scope of internal audit activities. Final approval of the Internal Audit Charter resides with the board.

Enclosed Documents – The Internal Audit Charter follows in the packet for the Committee’s review and discussion.

Dr. Ricardo J. Solis, President, Mary Elizondo, Vice President for Finance and Administrative Services, and Khalil Abdullah, Internal Auditor, will be present at the August 9, 2022 Finance, Audit, and Human Resources Committee meeting to address any questions by the committee.

It is requested that the Finance, Audit, and Human Resources Committee recommend for Board approval at the August 23, 2022 Board meeting, the Internal Audit Charter for the period of September 1, 2022 through August 31, 2023 as presented.

**SOUTH TEXAS COLLEGE
INTERNAL AUDIT CHARTER
EFFECTIVE SEPTEMBER 1, 2022**

INTRODUCTION

Internal Auditing is an independent and objective assurance and consulting activity that is guided by a philosophy of adding value to improve the operations of the College. It assists the College in accomplishing its objectives by bringing a systematic and disciplined approach to evaluate and improve the effectiveness of the organization's risk management, governance, and internal controls.

ROLE

The internal audit function is established by the College Board of Trustees, Finance, Audit, and Human Resources Committee (hereafter referred to as the Board). The internal audit function's responsibilities are defined by the Board as part of their oversight role.

AUTHORITY

The internal audit function, with strict accountability for confidentiality and safeguarding records and information, is authorized full, free, and unrestricted access to any and all of the College's property, records (manual or electronic), and personnel pertinent to carrying out authorized engagements. All employees are requested to assist the internal audit function in fulfilling its roles and responsibilities. The internal audit function will also have free and unrestricted access to executive management and the Board.

INDEPENDENCE & OBJECTIVITY

The internal audit function will remain free from interference by any element in the organization, including matters of audit selection, scope, procedures, frequency, timing, or report content to permit maintenance of a necessary independent and objective mental attitude. Internal auditors will have no direct operational responsibility or authority over any of the activities audited. Accordingly, they will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair the internal auditor's independence or objectivity. Internal auditors are not authorized to perform any operational duties, initiate or approve accounting transactions external to the internal audit function, or direct the activities of any employee not employed by the internal audit function, except to the extent such employees have been appropriately assigned to auditing teams or otherwise assist the internal audit function. Internal auditors must exhibit the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined. Internal auditors must make a balanced assessment of all the relevant circumstances and not be unduly influenced by their own interests or by others in forming judgments.

The Internal Auditor will confirm to the Board, at least annually, the organizational independence of the internal audit activity.

INTERNAL AUDIT PLAN

At least annually, the Internal Auditor will submit to senior management and the Board an internal audit plan for review and approval. The internal audit plan will consist of a work schedule as well as budget and resource requirements for the next fiscal year. The Internal Auditor will communicate the impact of resource limitations and significant interim changes to senior management and the Board. The internal audit plan will be developed based on a prioritization of the audit universe using a risk-based methodology, including input of senior management and the Board. The Internal Auditor will review and adjust the plan, as necessary, in response to changes in the College's risks, operations, programs, systems, and internal controls. Any significant deviation from the approved internal audit plan will be communicated to senior management and the Board.

ORGANIZATION

The Internal Auditor will report functionally to the President and the Board and administratively (i.e. day to day operations) to the Vice President of Finance and Administrative Services.

The Board will

- Approve the internal audit charter;
- Approve the risk-based annual audit plan;
- Approve decisions regarding the appointment and removal of the Internal Auditor;
- Approve the remuneration of the Internal Auditor;
- Complete an annual performance appraisal of the Internal Auditor;
- Approve the internal audit budget and resource plan;
- Receive communications from the Internal Auditor on the internal audit activity's performance relative to its plan and other matters; and
- Make appropriate inquiries of management and the Internal Auditor to determine whether there are inappropriate scope or resource limitations.

The Internal Auditor will communicate and interact directly with the Board, including in executive sessions and between Board meetings as appropriate.

SCOPE OF ACTIVITIES

Assurance Services are objective examinations of evidence for the purpose of providing an independent assessment. The scope of work for assurance services is to determine whether the College's risk management, governance, and control processes as designed and represented by management, is adequate and functioning in a manner to help ensure:

- Risks are appropriately identified and managed;
- Significant financial, managerial, and operating information is accurate, reliable, and timely;
- Employees' actions are in compliance with policies, standard, procedures, and applicable laws and regulations;

- Resources are acquired economically, used efficiently, and adequately protected;
- Established objectives and goals are met and whether operations or activities are being conducted as planned;
- Quality and continuous improvement are fostered in the institution's control process.

Consulting Services are advisory and include other service activities such as counsel, advice, facilitation, training, and participation on standing or temporary management committees or project teams. The objective of consulting services is to add value in the development or modification of organization processes, procedures, and controls to minimize risk and achieve department objectives. Accepted consulting engagements will be included in the audit plan.

STANDARDS OF AUDIT PRACTICE

The internal audit function will govern itself by adherence to The Institute of Internal Auditors' mandatory guidance including the Definition of Internal Auditing, the Code of Ethics, and the International Standards for the Professional Practice of Internal Auditing (Standards). This mandatory guidance constitutes principles of the fundamental requirements for the professional practice of internal auditing and for evaluating the effectiveness of the internal audit activity's performance. The Institute of Internal Auditors' Practice Advisories, Practice Guides, and Position Papers will also be adhered to as applicable to guide operations. In addition, the internal audit activity will adhere to the College's relevant policies and procedures and the internal audit activity's audit manual.

RESPONSIBILITIES

The Internal Auditor has a responsibility to:

- Develop a flexible, annual work plan using an appropriate risk-based methodology, including any risks or control concerns identified by management, and submit that plan to the President, and the Board of Trustees' Finance, Audit, and Human Resources Committee for review and approval as well as periodic updates;
- Implement the annual work plan, as approved by the Finance, Audit, and Human Resources Committee;
- Issue periodic reports to the President and the Finance, Audit, and Human Resources Committee summarizing results of audit activities, annual work plans, sufficiency of office resources, and emerging trends and successful practices in internal auditing;
- Review systems to verify compliance with established policy, procedures, and applicable regulations;
- Review compliance with guidelines for ethical professional conduct.
- Maintain a follow-up process to monitor management actions on reported engagement observations and whether recommendations have been effectively implemented;
- Identify indicators of fraud and facilitate the investigation of suspected fraudulent activities within the organization;
- Act as liaison between the College and external auditors, including the review of their findings and the follow-up on necessary corrective action;

RESPONSIBILITIES (Cont.)

- Identify necessary training to improve the knowledge, skills, and competencies necessary for the internal auditors to have sufficient proficiency for auditing with the organization and maintaining professional certifications;
- Obtain competent advice and assistance necessary for the engagement when needed or decline the engagement;
- Ensure that an external review of the internal audit function in accordance with the Standards is conducted at least once every five years.
- Evaluate specific operations at the request of the Finance, Audit, and Human Resources Committee or the President, as appropriate.

QUALITY ASSURANCE AND IMPROVEMENT PROGRAM

The internal audit function will maintain a quality assurance and improvement program that covers all aspects of the internal audit activity. The program will include an evaluation of the internal audit function's conformance with the Definition of Internal Auditing and the IIA Standards and an evaluation of whether internal auditors apply the Code of Ethics. The program also assesses the efficiency and effectiveness of the internal audit function and identifies opportunities for improvement. The Internal Auditor will communicate to senior management and the Board on the internal audit activity's quality assurance and improvement program, including results of ongoing internal assessments and external assessments conducted at least every five (5) years.

The results of internal audit reviews as well as a report on Internal Audit's activities shall be presented to the President, and the Board of Trustees. The report shall include:

- 1) Internal audit finding(s);
- 2) Internal audit recommendation(s);
- 3) Management response(s);
- 4) Date of implementation of audit recommendation(s).

The Internal Auditor verifies corrective action has been taken by management and reports on the corrective action to the Board of Trustees' Finance, Audit, and Human Resources Committee.

Khalil M. Abdullah
Internal Auditor

Date

Maria G. Elizondo
Vice President for Finance and Administrative Services

Date

Dr. Ricardo J. Solis
President

Date

Rene Guajardo
Chair, Finance, Audit, and Human Resources Committee

Date

Rose Benavidez
Chair, Board of Trustees

Date

Review and Recommend Action on Proposed Projects for Internal Auditor for FY 2022 – 2023

Approval of proposed projects for the Internal Auditor for FY 2022 - 2023 will be requested at the August 23, 2022 Board meeting.

Purpose – Staff is recommending projects for the Board’s consideration for the Internal Auditor’s review for Fiscal Year 2022 - 2023. The projects listed below are proposed as the assignments for the Internal Auditor.

- FY 2022 - 2023 (Scheduled)
 1. Fraud Survey
 2. Financial Aid – Federal Awards
 3. Faculty Overloads & Stipends
 4. Business Continuity / Disaster Recovery
 5. Title IX
 6. HR Processes – Employee Hiring and Staffing
 7. Emergency Medical Technology (EMT) Program
 8. Surprise Cash Counts
 9. Purchasing – Proposal Evaluation Criteria
 10. Quality Assurance Review – External QAR

Enclosed Documents - The list of Internal Audits conducted for FY 2012 through FY 2022 follows in the packet for the Committee’s information and review.

Dr. Ricardo J. Solis, President, Mary Elizondo, Vice President for Finance and Administrative Services, and Khalil Abdullah, Internal Auditor, will be present at the August 9, 2022 Finance, Audit, and Human Resources Committee meeting to address any questions by the committee.

It is requested that the Finance, Audit, and Human Resources Committee recommend for Board approval at the August 23, 2022 Board Meeting, the proposed projects for the Internal Auditor for FY 2022 - 2023 as presented.

**South Texas College
Internal Auditing Services for the Period of FY 2013 through FY 2023**

	Audit Area	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
1	Fraud Survey	10/18/12	11/08/13	Complete	Complete	12/07/16	10/18/17	10/22/18	10/08/19	10/12/20	10/06/21	Proposed
2	Fraud Hotline Calls/Investigations		10/29/13									
3	Cash -Controls and safeguards -Bank Reconciliation -Check and deposit preparation											
4	Cash -Bank Reconciliation											
5	Surprise Cash Counts and Cash Handling Controls over Student Tuition and Fees Collection		Requested- Not Performed	Requested- Not Performed	Requested- Not Performed	11/04/16						Proposed
6	Food Services Department Cash Handling Procedures			Requested - Not Performed	Requested - Not Performed	11/04/16						
7	Student Receivables/ Third Party -Billing -Collections -Reconciliation											
8	Scholarship Funds -Valley Scholars -Pledges -Awards -Other Scholarships	08/22/13										
9	Grants- Title V											
10	Grants- Wired											
11	Grants - Federal Work-study, Federal Pell Grant, Carl Perkins, and Workforce Investment Act											
12	Property Taxes -Rec. & Rollback Taxes		Requested- Not Performed	Requested- Not Performed								
13	Property Taxes - Internal Controls of Hidalgo and Starr County Tax Assessor- Collector's Offices				Requested - Not Performed	06/20/17						
14	AP - Operations / Prompt Pmt. Act											
15	AP - Commercial Card Use						Requested - In Progress	01/29/19				
16	Fuel Card Use						Requested - In Progress	10/23/18				
17	Travel							Requested - Not Performed	Requested - Not Performed	Requested - Not Performed	Requested - Not Performed	
18	Mileage Reimbursement Procedures			Requested - Not Performed	Requested - Not Performed	02/17/17						
19	Purchasing Contracts -Solicitation/Renewal Process -Record keeping									Requested - Not Performed	07/12/22	Proposed
20	Financial Aid - State Awards	05/07/13					Requested - Not Performed	In Process	01/07/20			
21	Financial Aid - Federal Awards									Requested - Not Performed	Requested - Not Performed	Proposed

**South Texas College
Internal Auditing Services for the Period of FY 2013 through FY 2023**

	Audit Area	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
23	Investments -Compliance -Collateral Documentation -Transfers for Debt Service -System for Monitoring Maturities											
24	Debt Service -Bond Payments -Continuing Disclosure Requirements -Arbitrage -Bond Restrictions											
25	Human Resources and Payroll -Compliance & Controls											
26	HR - Human Resources- Employment Eligibility Verification Form I-9 (U.S. Citizenship and Immigration Services)		Requested - Not Performed	Requested - Not Performed	Requested - Not Performed	02/17/17						
27	HR Processes - Faculty Credentials							Requested - Not Performed	In Process	In Process	06/10/22	
28	HR Processes - Employee Hiring & Staffing											Proposed
29	TimeClock Plus [Time Keeping System Compliance] -Departmental Timeforce Procedures		Requested - Not Performed	Requested - Not Performed	Requested - Not Performed	Requested - Not Performed	Requested - In Progress	10/04/18				
30	TimeClock Plus [Time Keeping System Compliance] -Internal Control Procedures											
31	Fixed Assets		Requested- Not Performed	Requested- Not Performed	Requested- Not Performed		11/08/17					
32	Continuing Professional and Workforce Education Department											
33	Facilities, Operation & Maintenance- Workorders and Purchase Orders	07/18/13										
34	Custodial Services- Work Orders, Purchase Orders and Inventory		Requested - Not Performed	Requested - Not Performed	Requested - Not Performed	Requested - Not Performed		06/06/19				
35	Enrollment Audit (Traditional and Continuing Education)						Requested - In Progress	07/26/18				
36	Student Activities & Wellness			Requested - Not Performed	Requested - Not Performed		12/01/17					
37	Memorandum of Understanding [MOU] -Early College High Schools -Dual Credit							Requested - Not Performed	In Process	01/11/21		
38	Blueprint Expectations for Early College High Schools							Requested - Not Performed	Requested - Not Performed			
39	Science Lab Safety and Storage Compliance							Requested - Not Performed	In Process	In Process	06/10/22	
40	Red Flag Rules											
41	IT Security and Procedures		09/05/13									Requested - Not Performed
42	IT - Business Continuity / Disaster Recovery											
43	Texas Administrative Code Sec. 202											
44	Banner Computer System Security and Access			Requested - Not Performed	Requested - Not Performed	Requested - Not Performed	Requested - Not Performed	In Process	In Process	01/11/21		
45	Instructional Technologies Inventory		Requested - Not Performed	11/06/14								
46	Copiers											

**South Texas College
Internal Auditing Services for the Period of FY 2013 through FY 2023**

	Audit Area	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
47	Cell Phones											
48	Clery Act, and VAWA						Requested - Not Performed	In Process	07/14/20			
49	Title IX								Requested - Not Performed	Requested - Not Performed		Proposed
50	Internal Assessment of the Office of Internal Audits - (QAIP)									07/13/21		
51	External Assessment of the Office of Internal Audits - (QAIP)									Requested - Not Performed	Requested - Not Performed	
52	Faculty Overloads & Stipends									Requested - Not Performed	Requested - Not Performed	Proposed
53	Teacher Retirement System (TRS)									Proposed	11/15/21	
54	Emergency Medical Technology (EMT) Program										Requested - Not Performed	Proposed
55	Child and Adult Care Food Program - Application Process								10/01/19			
56	SAO - Catch the Next Complaint: 20-0044								11/07/19			
57	CARES Act Compliance								In Process	08/26/20		
	Total Number of Audits Completed	4	3	1	0	6	4	6	6	5	4	

Other Activities

- Annual Financial Report (CAFR)
- Risk Assessment & Audit Plan
- Internal Audit Annual Report

Review and Recommend Action to Adopt New Policies and Retire Current Policies

Approval to adopt new policies and retire current policies as listed below will be requested at the August 23, 2022 Board meeting.

Purpose – The proposed adoption of new policies and retirement of current policies is necessary to align with the Texas Association of School Boards (TASB) policy manual.

Justification – The request to adopt and retire policies is needed to align the policies with the comprehensive, current, and legally sound policy manual, to strengthen the policies’ language, and transition policies to a standardized format. The adoption of new and/or retired policies are as follows:

Adopt New Policy	Retired Policy(ies)
A-1. AB College District – Name and Definitions	A-2. Policy #1000: Preamble & Definitions <ul style="list-style-type: none"> • Replaced by AB (Local), BA (Local), and BBB (Local)
B-1. BA Board Legal Status	
C-1. BBB Board Members - Elections	C-2. Policy #1300: Single-Member Districts <ul style="list-style-type: none"> • Replaced by BBB (Local) C-3. Policy #1400: Elections <ul style="list-style-type: none"> • Replaced by BBB (Local) C-4. Policy #1410: Oath of Office <ul style="list-style-type: none"> • Replaced by BBB (Legal)
D-1. BBD Board Members – Orientation and Training	D-2. Policy #1520: Orientation and Training of Trustees <ul style="list-style-type: none"> • Replaced by BBD (Local) and BBH (Local)
E-1. BBE Board Members - Authority	E-2. Policy #1001: Authority & Functions of the Board, Committees and Individual Trustees <ul style="list-style-type: none"> • Replaced by BBE (Local) and BCG (Local) E-3. Policy #1630: Texas Open Meetings Act <ul style="list-style-type: none"> • Replaced by BBE (Local) and BDB (Local)
F-1. BBF Board Members - Ethics	F-2. Policy #1020: Goals for Trustees <ul style="list-style-type: none"> • Replaced by BBF (Local) F-3. Policy #1510: Code of Ethics for Board Members <ul style="list-style-type: none"> • Replaced by BBF (Local)

Adopt New Policy	Retired Policy(ies)
G-1. BBG Board Members – Compensation and Expenses	G-2. Policy #1530: Compensation and Expenses <ul style="list-style-type: none"> • Replaced by BBG (Local)
H-1. BBH Board Members – Conventions, Conferences, and Workshops	
I-1. BCA Board Internal Organization – Board Officers and Officials	I-2. Policy #1100: Board Officers <ul style="list-style-type: none"> • Replaced by BCA (Local)
J-1. BCB Board Internal Organization – Board Committees	J-2. Policy #1110: Board Committees <ul style="list-style-type: none"> • Replaced by BCB (Local)
K-1. BCC Board Internal Organization – Attorney	K-2. Policy #2200: Legal Counsel <ul style="list-style-type: none"> • Replaced by BCC (Local)
L-1. BCG Board Internal Organization – Board Evaluation	
M-1. BD Board Meetings	M-2. Policy #1610: Types of Meetings <ul style="list-style-type: none"> • Replaced by BD (Local) M-3. Policy #1620: Meeting Procedures <ul style="list-style-type: none"> • Replaced by BD (Local) and BDB (Local) M-4. Policy #1625: Notice of Meeting: Contents of Notice <ul style="list-style-type: none"> • Replaced by BD (Local) M-5. Policy #1640: Agenda <ul style="list-style-type: none"> • Replaced by BD (Local) M-6. Policy #1645: Consent Agenda <ul style="list-style-type: none"> • Replaced by BD (Local) M-7. Policy #1650: Quorum <ul style="list-style-type: none"> • Replaced by BD (Local) M-8. Policy #1660: Minutes <ul style="list-style-type: none"> • Replaced by BD (Local)
N-1. BE Policy and Bylaw Development	N-2. Policy #1700: Board Policies <ul style="list-style-type: none"> • Replaced by BE (Local) N-3. Policy #2300: Developing, Recommending, and Implementing Policy <ul style="list-style-type: none"> • Replaced by BE (Local)

Adopt New Policy	Retired Policy(ies)
O-1. BFA Chief Executive Officer Qualifications and Duties	O-2. Policy #1010: Authority & Functions of the College President <ul style="list-style-type: none"> • Replaced by BFA (Local) O-3. Policy #Policy 2100: Duties and Responsibilities of the President <ul style="list-style-type: none"> • Replaced by BFA (Local) O-4. Policy #Policy 2110: Qualifications of the President <ul style="list-style-type: none"> • Replaced by BFA (Local) and Move to Procedure
P-1. BFD Chief Executive Officer – Retirement or Resignation	P-2. Policy #2160: Retirement or Resignation of the President <ul style="list-style-type: none"> • Replaced by BFD (Local)

The following policies are also recommended for retirement. They are duplicative with existing legal policies as maintained for South Texas College by TASB, or TASB recommends transitioning to a procedure, as deemed appropriate, by College staff based on internal operations and functions:

- Q-1. Retire Current Policy #1011: Relationship Between Board and President
 - TASB recommends development as a Procedure Document instead of a Board Policy
- R-1. Retire Current Policy #1200: Qualifications for Service as Trustee
 - Replaced by BBA (Legal) – Board Members – Eligibility/Qualifications
- S-1. Retire Current Policy #1210: Resignation of Trustee
 - Replaced by BBC (Legal) – Board Members – Vacancies and Removal from Office
- T-1. Retire Current Policy #1220: Vacancy on the Board of Trustees
 - Replaced by BBC (Legal) – Board Members – Vacancies and Removal from Office
- U-1. Retire Current Policy #1230: Removal from Office
 - Replaced by BBC (Legal) – Board Members – Vacancies and Removal from Office
- V-1. Retire Current Policy #1511: Trustee Duty to Disclose Substantial Interests in a Business Entity or in Real Estate; Disclosure Requirements and Abstention
 - Replaced by BBFA (Legal) – Conflict of Interest Disclosures
- W-1. Retire Current Policy #1512: Nepotism: Public Officials
 - Replaced by DBE (Legal) – Employment Requirements and Restrictions – Nepotism

- X-1. Retire Current Policy #1670: Executive Sessions
 - Replaced by BDA (Legal) – Board Meetings – Closed Meetings
- Y-1. Retire Current Policy #1671: Executive Session Certified Agenda
 - Replaced by BDA (Legal) – Board Meetings – Closed Meetings
- Z-1. Retire Current Policy #1800: Position on Legislative Matters
 - TASB recommends development as a Procedure Document instead of a Board Policy

Background – On March 31, 2020, the Board of Trustees approved an interlocal agreement with TASB for Policy Management Service. Throughout FY 2022 and FY 2023, current College board policies will be reviewed, retired, and transitioned into the TASB formatted policies. TASB will then provide a comprehensive, current, and legally sound Policy Manual.

Reviewers – The new and retired policies have been reviewed by staff, administrators, TASB staff, College staff, and STC Legal Counsel.

Enclosed Documents - The new and or retired policies follow in the packet for the Committee's information and review.

Andrew Fish, Board Relations Officer, and Gardenia Perez, Chief of Staff, will be present at the Committee Meeting to address questions by the Committee.

It is requested that the Finance, Audit, and Human Resources Committee recommend Board approval at the August 23, 2022 Board meeting to adopt new policies and retire current policies as listed, presented, and which supersedes any previously adopted Board policy.

Board of Trustees

Finance, Audit, and Human Resources Committee Meeting

August 9, 2022

Additional Backups for Adopt New Policies and Retire Current Policies



**SOUTH TEXAS
COLLEGE**

COLLEGE DISTRICT NAME AND DEFINITIONS

AB
(LOCAL)

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."

BOARD MEMBERS
ELECTIONS

BBB
(LOCAL)

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.

MANUAL OF POLICY

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).

Retired

MANUAL OF POLICY

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.”

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.

MANUAL OF POLICY

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

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]

BOARD MEMBERS
AUTHORITY

BBE
(LOCAL)

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.

MANUAL OF POLICY

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.

MANUAL OF POLICY

Title **Authority & Functions of the Board, Committees and Individual Trustees** **1001**
Legal Authority **Approval of the Board of Trustees** **Page 2 of 2**

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

MANUAL OF POLICY

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*

MANUAL OF POLICY

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.

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.

**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.

MANUAL OF POLICY

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
CONVENTIONS, CONFERENCES, AND WORKSHOPS

BBH
(LOCAL)

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 INTERNAL ORGANIZATION
BOARD OFFICERS AND OFFICIALS

BCA
(LOCAL)

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 themselves. 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.

MANUAL OF POLICY

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.

BOARD INTERNAL ORGANIZATION
BOARD COMMITTEES

BCB
(LOCAL)

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

BOARD INTERNAL ORGANIZATION
BOARD COMMITTEES

BCB
(LOCAL)

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;

BOARD INTERNAL ORGANIZATION
BOARD COMMITTEES

BCB
(LOCAL)

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.

MANUAL OF POLICY

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.

MANUAL OF POLICY

Title	Board Committees	1110
Legal Authority	Approval by the Board of Trustees	Page 2 of 2

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.

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 themselves 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

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.

MANUAL OF POLICY

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.

MANUAL OF POLICY

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.

MANUAL OF POLICY

Title	Meeting Procedures	1620
Legal Authority	Approval of the Board of Trustees	Page 2 of 3

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.

MANUAL OF POLICY

Title	Meeting Procedures	1620
Legal Authority	Approval of the Board of Trustees	Page 3 of 3

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.

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

MANUAL OF POLICY

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 <i>As Amended by Board Minute Order Dated July 15, 2004</i>	

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

MANUAL OF POLICY

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

MANUAL OF POLICY

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

MANUAL OF POLICY

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.

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.

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.

Retired

CHIEF EXECUTIVE OFFICER
QUALIFICATIONS AND DUTIES

BFA
(LOCAL)

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.

MANUAL OF POLICY

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.

Retired

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.

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.

MANUAL OF POLICY

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

MANUAL OF POLICY

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

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

MANUAL OF POLICY

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)

<u>First Degree</u>	<u>Second Degree</u>	<u>Third Degree</u>
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)

<u>First Degree</u>	<u>Second Degree</u>
Father	Spouse’s Grandfather
Mother	Spouse’s Grandmother

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.

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.

[S E A L]

NOTARY PUBLIC, State of Texas
My commission expires: _____

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

MANUAL OF POLICY

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.

MANUAL OF POLICY

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

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	

MANUAL OF POLICY

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.

MANUAL OF POLICY

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.

MANUAL OF POLICY

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