



**SOUTH TEXAS  
COLLEGE**

# **Board of Trustees**

## **Regular Board Meeting**

**Tuesday, June 24, 2025  
5:30 p.m.**

**Pecan Campus  
Ann Richards Administration  
Building  
Board Room  
McAllen, Texas**

**Online Copy**

**SOUTH TEXAS COLLEGE  
BOARD OF TRUSTEES REGULAR MEETING  
Tuesday, June 24, 2025 @ 5:30 p.m.  
Ann Richards Administration Building Board Room  
Pecan Campus, McAllen, Texas 78501**

**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. At this meeting, the Board of Trustees may deliberate on and take any action deemed appropriate by the Board of Trustees on the following subjects:"

- I. Call Meeting to Order**
- II. Determination of Quorum**
- III. Invocation**
- IV. Public Comments**
- V. Update by the College President**
- VI. Consideration and Action on Consent Agenda**
  - A. Approval of Board Meeting Minutes
    - 1. May 27, 2025 Regular Board Meeting ..... 5 - 41
- VII. Consideration and Action on New Items**
  - 1. Report of New Grants ..... 42 - 44
  - 2. Review and Recommend Action on Approval of Round 3 Evaluation Scoring Options for Contracting Architectural and Engineering Services ..... 45
  - 3. Review and Update on the Pecan Campus Institutional Support Services Building N Expansion Interviews with Architectural Firms..... 46
- VIII. Consideration and Action on Committee Items**
  - A. Education and Workforce Development Committee Items**
    - 1. Review of Presentations Prepared for Education and Workforce Development Committee
      - a. Presentation on Enrollment Services Student Retention and Completion Strategies ..... 47 - 55
      - b. Presentation on South Texas College and the Talent Strong Texas Pathways Project..... 56 - 64

- c. Review and Discussion on Proposed South Texas College 2025 – 2031 Strategic Plan ..... 65 - 77

**B. Finance, Audit, and Human Resources Committee Items**

- 1. Review of Presentations Prepared for the Finance, Audit and Human Resources Committee
  - a. Review and Discussion of Preliminary Summaries of Unrestricted Projected Revenues and Expenditures for FY 2025 - 2026 with Comparison to FY 2024 – 2025 Amended Budget ..... 78 - 92
  - b. Presentation on Sick Leave Pool Bank Write Off..... 93 - 94
- 2. Review and Action as Necessary on Consent Agenda Items from the Finance, Audit, and Human Resources Committee ..... 95 - 140
  - a. Approval of Award of Proposals, Reject Proposals, Purchases, Renewals, and Purchase Renewals ..... 96 - 121

**Award of Proposals**

- 1) Campus Dining and Food Truck Services – Nursing and Allied Health Campus
- 2) Nursing and Allied Health Lab Equipment and Supplies
- 3) Public Art Project – College Mascot Sculptures
- 4) Security Cameras and Accessories

**Reject Proposal**

- 5) Pecan Campus Physical Plant Building E Cooling Tower Above Ground Piping System

**Purchases**

- 6) Computers, Laptops, and Tablets
- 7) Medical Equipment and Supplies
- 8) Network Phone Equipment Replacements
- 9) Network Router Equipment Replacements
- 10) Network Switch Equipment Replacements
- 11) Server Replacements
- 12) Software Training Service Agreement

**Renewals**

- 13) Collection Agency Services
- 14) Grounds Maintenance

**Purchase Renewals**

- 15) Online Digital Portfolio Application
- 16) Software, License, Maintenance, and Support Agreements
- 17) Web Application Firewall Software/Cloud Subscription

- b. Approval of Resolution #2025-013 Regarding the Donation to the Public of Items Produced by the Learning Commons & Open Labs Department..... 122 - 125
- c. Approval to Adopt New Local Governance Policy and Retire Current Policies ..... 126 - 129
  - A-1. Adopt BFE (LOCAL) – Chief Executive Officer: Evaluation
  - A-2. Retire Policy 2120: Goals for the President
  - A-3. Retire Policy 2140: Evaluation of the President

- d. Approval to Adopt the Numbered Update 49 Local Policy and Retire Local Policy ..... 130 - 140
  - A. Adopt CGF (Local) – Safety Program: Security Personnel
  - B. Retire CHA (Local) – Site Management: Inspections
- 3. Discussion and Action as Necessary on Proposed FY 2025 – 2026 Request for New Positions and Other Adjustments ..... 141 - 154
- 4. Review and Recommend Action on Legal Services Modification Agreement ..... 155 - 156
- 5. Review and Recommend Action on Use of Fund Balance to Support Students at Risk of Not Persisting Due to Loss of Financial Aid Eligibility ..... 157 - 165
- 6. Review and Recommend Action to Revise Local Policy ..... 166 - 181
  - A. Policy DGBA (LOCAL) – Personnel-Management Relations: Employee Grievances
- 7. Review and Recommend Action Adopt New Personnel Policies and Retire Current Policies ..... 182 - 326
  - A-1. Adopt DIAA (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation: Sex and Sexual Violence
  - A-2. Retire Policy 4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited
  - B-1. Adopt DIAB (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics
  - B-2. Retire Policy 4206: Discrimination in Employment Prohibited
  - B-3. Retire Policy 4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited
  - C-1. Adopt FFDA (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation: Sex and Sexual Violence
  - C-2. Retire Policy 4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited
  - D-1. Adopt FFDB (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics
  - D-2. Retire Policy 4206: Discrimination in Employment Prohibited
  - D-3. Retire Policy 4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited

### **C. Facilities Items**

- 1. Review and Recommend Action on Approval of Proposed District Wide Facility Signage and Authorization to Proceed with Solicitation of Construction Services ..... 327 - 350



2. Review and Recommend Action on Color Selections for the Pecan Campus Cooper Center for Performing Arts Building L Expansion and Renovations for Music and Dance Programs .....	351 - 364
3. Review and Recommend Action on Approval of Proposed Change Order for the Pecan West Parking and Site Improvements .....	365 - 367
4. Review and Recommend Action on Substantial Completion of Regional Center for Public Safety Excellence Parking Lot #1 Additional Spaces .....	368 - 372
5. Review and Recommend Action on Proposed Facilities Usage Agreement for PossAble Dream Foundation.....	373 - 375
6. Review and Recommend Action on Contracting Architectural Services for the Pecan Campus Institutional Support Services Building N Expansion .....	376 - 389
<b>IX. Approval of Financial Reports for April 2025.....</b>	<b>390</b>
<b>X. Review of Informational Reports as of May 2025 .....</b>	<b>391</b>
<b>XI. Review and Action as Necessary on Executive Session Items.....</b>	<b>392</b>
A. Discussion and Action as Necessary on Starr County Campus Building Q Automotive Lab Expansion and the North Academic Building C HVAC-R Outdoor Covered Area Expansion Architectural Services (Texas Government Code 555.071, Consultation with Attorney).....	392
B. Discussion and Action as Necessary on Starr County Campus Building Q Automotive Lab Expansion and the North Academic Building C HVAC-R Outdoor Covered Area Expansion Construction Services (Texas Government Code 555.071, Consultation with Attorney).....	<b>392</b>
<b>XII. Announcements .....</b>	<b>393</b>
A. Next Meetings:	
• <u>Tuesday, July 8, 2025</u>	
➤ 3:00 p.m. - Education & Workforce Development Committee	
➤ 4:00 p.m. – Facilities Committee	
➤ 5:00 p.m. – Finance, Audit and Human Resources Committee	
• <u>Tuesday, July 22, 2025</u>	
➤ 5:30 p.m. – Regular Board Meeting	
B. Other Announcements:	
• The College will be closed on July 4, 2025 in observance of the July 4 <sup>th</sup> holiday.	

### **Approval of Board Meeting Minutes**

The following Board Meeting Minutes are submitted for approval:

- 1) May 27, 2025 Regular Board Meeting

The Chair is asked to call for revisions to the Minutes, if any are necessary.

If no revisions are suggested, the Chair is asked to adopt the Minutes as presented.

If any trustee has revisions to suggest, the Chair is asked to call for a motion to approve the Minutes with the suggested revision.

**SOUTH TEXAS COLLEGE  
BOARD OF TRUSTEES REGULAR MEETING  
Tuesday, May 27, 2025 @ 5:30 p.m.  
Ann Richards Administration Building Board Room  
Pecan Campus, McAllen, Texas 78501**

**Minutes**

**Call Meeting to Order:**

The Regular Board Meeting of the South Texas College Board of Trustees was held on Tuesday, May 27, 2025 in the Ann Richards Administration Building Board Room at the Pecan Campus in McAllen, Texas. The meeting commenced at 5:34 p.m. with Chair, Dr. Alejo Salinas, Jr. presiding.

Members present: Mr. Paul R. Rodriguez, Mr. Danny Guzman, Ms. Rose Benavidez, Ms. Dalinda Gonzalez-Alcantar, Ms. Victoria Cantu, and Mr. David De Los Rios.

Members absent: None.

Also present: Dr. Ricardo J. Solis, Ms. Mary Del Paz, Dr. Rodney Rodriguez, Ms. Deyadira Leal, Ms. Myriam Lopez, Dr. Jesus Campos, Dr. Anahid Petrosian, Dr. Margo Vargas-Ayala, Dr. Jayson Valerio, Mr. Frank Morris, Chief Ruben Suarez, Ms. Melissa Pena, Ms. Rosangela Mancillas, Ms. Christina Cavazos, Ms. Olivia De La Rosa, Ms. Alicia Correa, Mr. Danny Montez, Ms. Carla Rodriguez, Ms. Lynda Lopez, Dr. Matt Hebbard, Mr. Luis De La Garza, Dr. Zachary Suarez, Dr. Brett Millan, Ms. Claudia Olivares, Dr. Rebecca De Leon, Mr. Khalil Abdullah, Ms. Janice Lopez, Ms. Lisa Aleman, Mr. George McCaleb, Ms. Amanda Sotelo, Dr. Ali Esmaeili, Mr. Andrew Fish, Mr. Rick De La Garza, Mr. Luis Silva, Dr. Rachel Sale, Ms. Kelly Nelson, Ms. Alicia Aleman Legal Counsel, Mr. Andrew Fish, Ms. Marcela Beas, Mr. Jose Vela, Ms. Monica Benitez, Mr. Jimmy Gonzalez, Ms. Monique Fuentes, Mr. Sergio Riojas, Mr. Martin Villarreal, Mr. David Valdez, Ms. Emily Upshaw, and Ms. Venisa Earhart.

**Determination of a Quorum**

A quorum was present and a notice of the meeting was posted.

**Invocation**

Ms. Amanda Sotelo, PR Manager and Communications Manager, said the invocation.

**Public Comments**

No public comments were given and a notice of the meeting was posted.

## **Update by the College President**

Dr. Ricardo J. Solis, College President, provided a brief update, including the following items:

### **Introduction of Staff:**

Ms. Janis Lopez: Inaugural Faculty Member for Dental Hygiene Program

Ms. Lopez holds the following academic credentials:

- Associate of Applied Science in Dental Hygiene
- Bachelor of Science in Dental Hygiene
- Master of Science in Health Sciences, with a major in Health Professions and a minor in Educational Technology

Her professional certifications reflect her ongoing pursuit of clinical excellence and compliance with evolving industry standards:

- Diode Laser Certification, Academy of General Dentistry
- Nitrous Oxide Monitoring Certification, Texas State Board of Dental Examiners
- Local Infiltration Anesthesia Certification, UT Health School of Dentistry
- Jurisprudence Assessment for Dental Hygienists, Texas State Board of Dental Examiners

### **Our Communication and Creative Services team has some good news to present this evening:**

- Frank: Telly Awards
- Amanda: Social Media Platform Statistics
- Lynda: Behind the Scenes Video.

## **Approval of Board Meeting Minutes**

The following Board Meeting Minutes were submitted for approval:

- 1) April 22, 2025 Regular Board Meeting

The Chair is asked to call for revisions to the Minutes as written.

No revisions were suggested, and the Chair adopted the Minutes as written

## **Review and Action as Necessary on Quarterly Investment Report for Quarter Ending February 28, 2025**

<b>Purpose</b>	To approve the College's Quarterly Investment Report for the Quarter Ended February 28, 2025 that will be presented by Ms. Emily Upshaw from Valley View Consulting, L.L.C.
<b>Justification</b>	<p>To comply with the Texas Public Funds Information Act (PFIA) and the College's Policy CAK Appropriations and Revenue Sources: Investments that require an Investment Report to be prepared and submitted to the Board of Trustees and the President on a quarterly basis.</p> <p>Ms. Upshaw will present an overview of the investments, the annual interest earnings, the quarterly interest earnings, and the economic overview.</p>
<b>Enclosed Documents</b>	Appendix A - Quarterly Investment Report
<b>Funding</b>	No funds are required.
<b>Staff Resource</b>	Dr. Ricardo J. Solis, President Mary Del Paz, Vice President for Finance and Administrative Services
<b>Recommendation</b>	<p><b><i>It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:</i></b></p> <p>The Board of Trustees of South Texas College approves and authorizes the Quarterly Investment Report for the Quarter Ended February 28, 2025.</p>

Upon a motion by Mr. Paul Rodriguez and a second by Ms. Dalinda Gonzalez-Alcantar the Board of Trustees of South Texas College approved and authorized the Quarterly Investment Report for the Quarter Ended February 28, 2025.

The motion carried.

## **Presentation of the Delinquent Tax Collection Report for the Period Ending February 28, 2025**

<b>Purpose</b>	Jaime E. Gonzalez from Linebarger Goggan Blair & Sampson, will present the Delinquent Tax Collection Report through February 28, 2025.
<b>Justification</b>	To inform the Board about the efforts, methods, and frequency with which Linebarger Goggan Blair & Sampson, LLP has contacted the delinquent taxpayer to ensure the collection of outstanding taxes. They will also present the progress made by detailing the amount of property taxes collected for Hidalgo County and Starr County.
<b>Enclosed Documents</b>	Appendix A – Delinquent Tax Collection Report.
<b>Funding</b>	No funds are required.
<b>Staff Resource</b>	Jaime E. Gonzalez from Linebarger Goggan Blair & Sampson, LLP Mary Del Paz, Vice President for Finance and Administrative Services Myriam Lopez, Associate Vice President for Finance and Management

No action was required from the Board. This item is presented for information purposes.

## **Presentation on Transformational Recruitment Strategy and Plan**

<b>Purpose</b>	Administration presented the initial assessment findings of the Valley Promise Program's Year 1 launch and progress.
<b>Staff Resources</b>	Dr. Matt Hebbard, Vice President of Student Affairs and Enrollment Management Ms. Melissa Peña-Montes
<b>Recommendation</b>	No action was requested.  This item was to provide information and solicit feedback from the trustees.

## **Review and Recommend Action on Designated Veteran Parking Initiative MOU**

<b>Purpose</b>	Administration requests approval of an MOU between South Texas College and Hidalgo County to support Designated Parking for Veterans at all South Texas College campuses in Hidalgo County.
<b>Justification</b>	<p>In recognition of the service and sacrifices made by United States military veterans, South Texas College (STC) has been invited to participate in a collaborative initiative with Hidalgo County to provide specially designated parking spaces for veterans on campus.</p> <p>County Judge Richard F. Cortez, on behalf of the Hidalgo County Commissioners Court, formally extended this opportunity to STC. The initiative is designed to visibly honor veterans by reserving parking spaces near entrances commonly accessed by the public and veteran constituents. As part of this tribute, Hidalgo County will provide STC with official signage identifying these veteran-designated parking spaces. Installation of the signage may also be completed by the County upon request.</p> <p>To formalize this partnership, STC and Hidalgo County have entered into a <b>Memorandum of Understanding (MOU)</b> effective April 15, 2025. The MOU outlines the shared responsibilities and commitment to the well-being of veterans and the broader public. Key elements include:</p> <ul style="list-style-type: none"><li>• STC will designate specific parking spaces near building entrances for veterans.</li><li>• STC will notify the County of the number of signs required and indicate whether STC or the County will handle installation.</li></ul>

- The County will provide the necessary signage and, STC will install it on STC property.
- The agreement supports public health, safety, and welfare and reaffirms both institutions' dedication to serving those who have served our country.

This initiative aligns with STC's ongoing efforts to support student veterans and veteran community members through visibility, access, and respect. Implementation will be coordinated through the Vice President for Student Affairs and Enrollment Management, with input from Facilities Planning and Operations.

**Enclosed Document**

Copy of Memorandum of Understanding between South Texas College and Hidalgo County

**Staff Resources**

Dr. Matt Hebbard, Vice President of Student Affairs and Enrollment Management and Mr. Juan Miguel Galvan, Director of Financial Services

Upon a motion by Ms. Victoria Cantu and a second by Ms. Dalinda Gonzalez-Alcantar the Board of Trustees of South Texas College approved and authorized the Memorandum of Understanding between South Texas College and Hidalgo County to Designate Parking Spaces for Veterans as presented.

The motion carried.



## **Consideration of New Items**

The Education and Workforce Development Committee did not meet in May 2025. These items were all presented for deliberation and action by the Board of Trustees and without a committee recommendation.

### **Presentation on the February 2025 Dual Credit Programs Summit**

<b>Purpose</b>	Administration will provide a presentation with an overview of the 2025 Summit for Dual Credit Programs, hosted in collaboration with the National Alliance of Concurrent Enrollment Partnerships. The Summit was held at the South Padre Island Convention Center on February 16-18, 2025.
<b>Justification</b>	<p>Background:</p> <p>In February 2025, South Texas College partnered with the National Alliance of Concurrent Enrollment Partnerships (NACEP) to host the fourth annual Dual Credit Programs Summit. The three-day event featured a national keynote speaker, breakout sessions, and drew over 250 participants from 35 states sharing insights on dual credit delivery for diverse student populations.</p> <p>Dr. Rebecca De Leon, Associate Vice President for Dual Credit Programs &amp; School District Partnerships, will provide a summary of the event, including financials and key takeaways from participants.</p>
<b>Staff Resources</b>	Dr. Rebecca De Leon, Associate Vice President for Dual Credit Programs & School District Partnerships
<b>Recommendation</b>	No action was requested. Please note date for 2026 Summit for Dual Credit Programs: February 15-17.

No action was required on this item. It was presented for information purposes only.

## **Review and Recommend Action on Proposed 2026-2027 Academic Calendar**

<b>Purpose</b>	Administration seeks a committee recommendation for Board approval of the proposed 2026-2027 Academic Calendar.
<b>Justification</b>	<p>The Academic Calendar Steering Committee, which includes membership from each area of the College and Student Government representation, has developed the FY 2026 – 2027 Academic Calendar.</p> <p>The calendar was developed to be compatible with local area school district calendars and other higher education institutions in Texas. The calendar was presented to South Texas College faculty and staff for review, feedback, and input during the months of March and April. Input received from staff and faculty was incorporated into the proposed calendar.</p> <p>The proposed calendar has been approved by the Academic Calendar Committee and has been reviewed by Faculty Senate, Staff Council, Council of Chairs, Academic Council and the Institutional Leadership Council.</p>
<b>Enclosed Documents</b>	<p>Proposed 2026 – 2027 Academic Calendar</p> <p>Calendar Committee Membership and Timeline</p>
<b>Funding</b>	No funding impact
<b>Staff Resources</b>	Ms. Christina Cavazos, Director of Curriculum, Planning, and Compliance
<b>Additional Information</b>	The Education and Workforce Committee did not meet in May 2025; therefore, this item is presented without a committee recommendation. Administration recommends approval as presented.
<b>Recommendation</b>	<p><b><i>It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:</i></b></p> <p>The Board of Trustees of South Texas College approves and authorizes the 2026-2027 Academic Calendar as presented.</p>

Upon a motion by Ms. Rose Benavidez and a second by Mr. David De Los Rios the Board of Trustees of South Texas College approved and authorized the 2026-2027 Academic Calendar as presented.

The motion carried.

## **Review and Recommend Action on Proposed Interlocal Agreement for Dual Credit Programs**

<b>Purpose</b>	Administration requests that the Education and Workforce Development Committee recommend Board approval of the Interlocal Agreement for Dual Credit Program partnerships with In-District school districts in Hidalgo and Starr counties for academic year 2025–2026.
<b>Justification</b>	<p>Background:</p> <p>South Texas College annually renews agreements with partner school districts to define terms for dual credit programs, incorporating any Board-approved changes to tuition, fees, and related policies. These agreements support consistent service and compliance across partnerships. They also facilitate communication and compliance efforts between the College and school districts.</p> <p>Agreement Summary:</p> <p>The proposed agreement includes the Non-Degree Seeking Option Pilot presented to the Education and Workforce Development Committee in April 2025. The agreement will be submitted to each partner district's governing board following Board approval.</p>
<b>Funding</b>	The College is not expected to incur unrecouped costs.
<b>Staff Resources</b>	Dr. Rebecca De Leon, Associate Vice President for Dual Credit Programs & School District Partnerships
<b>Additional Information</b>	The Education and Workforce Committee did not meet in May 2025; therefore, this item is presented without a committee recommendation. Administration recommends approval as presented.
<b>Recommendation</b>	<p><b><i>It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:</i></b></p> <p>The Board of Trustees of South Texas College approves and authorizes the 2025–2026 Interlocal Agreement for In-District Dual Credit Program partnerships as presented</p>

Upon a motion by Ms. Victoria Cantu and a second by Ms. Rose Benavidez the Board of Trustees of South Texas College approved and authorized the 2025–2026 Interlocal Agreement for In-District Dual Credit Program partnerships as presented.

The motion carried.

## **Review and Recommend Action on Proposed IDEA San Juan P-TECH Interlocal Agreement for Dual Credit Programs**

<b>Purpose</b>	Administration seeks a committee recommendation for Board approval of an Interlocal Agreement with IDEA Public Schools, designating South Texas College as the higher education partner for their San Juan P-TECH Campus for FY 2025 – 2026.
<b>Justification</b>	<p>Background:</p> <p>The initial Agreement was presented to the Board in May 2024 where approval was given to establish and support a Computer Science pathway under the P-TECH (Pathways in Technology Early College High School) model, emphasizing career and work-based education. It is specific to the San Juan campus and does not apply to other IDEA campuses.</p> <p>Agreement Summary:</p> <p>The proposed agreement includes the Non-Degree Seeking Option Pilot presented to the Education and Workforce Development Committee in April 2025. The agreement will be submitted to the partner district's governing board following Board approval.</p>
<b>Funding</b>	The College is not expected to incur unrecouped costs.
<b>Staff Resources</b>	Dr. Rebecca De Leon, Associate Vice President for Dual Credit Programs & School District Partnerships
<b>Additional Information</b>	The Education and Workforce Committee did not meet in May 2025; therefore, this item is presented without a committee recommendation. Administration recommends approval as presented.

Upon a motion by Mr. David De Los Rios and a second by Ms. Victoria Cantu the Board of Trustees of South Texas College approved and authorized the 2025–2026 Interlocal Agreement with IDEA Public Schools for the San Juan P-TECH Campus as presented.

The motion carried.

## **Review and Action as Necessary on Consent Agenda Items from the Finance, Audit, and Human Resources Committee**

The following Consent Agenda items were thoroughly discussed by the Finance, Audit, and Human Resources Committee. All trustees, whether a member of the Committee or not, received all supporting documentation and were invited to participate in the deliberation on each item. Non-committee members did not participate in Committee votes for recommendation of Board action.

Administration believes that all questions raised during the Committee discussion of Consent Agenda items were resolved to the Committee's satisfaction at the meeting, and the items are presented here substantially as recommended by the Committee, for approval by the Board of Trustees.

Any trustee may request any item be removed from the Consent Agenda for further discussion. Otherwise, the Board is asked to formally act on the full consent agenda, according to the details and recommended action presented for each item in the following pages.

The Finance, Audit, and Human Resources Committee recommended Board action on the following items as presented:

- a. Approval of Award of Proposals, Purchases, Renewals, and Interlocal Agreement at a total cost of \$2,147,207.16
- b. Approval to Purchase a Vendor Management, Electronic Bidding, and Contract Management System
- c. Approval on Resolution #2025-009 for Adoption of Rules Relating to Electronic Bids or Proposals
- d. Approval on Bond Counsel Services
- e. Approval on Schedule for Non-Summer Four-and-a-Half-Day Work Week and a Summer 36-Hour Work Week
- f. Approval to Accept of Internal Audit Report in the Area of Senate Bill 17
- g. Approval on Resolutions #2025-010, #2025-011, and #2025-012 Regarding Services Provided to the Public by Students of Workforce Programs
- h. Approval to Revise Local Policy
  - Policy DGBA (LOCAL) – Personnel-Management Relations: Employee Grievances

Upon a motion by Ms. Dalinda Gonzalez-Alcantar and a second by Ms. Victoria Cantu the Board of Trustees of South Texas College approved and authorized items "a" through "g" without item "h" of the consent agenda of the Finance, Audit, and Human Resources Committee Consent Agenda as presented. As per Chair, Dr. Salinas, Item "h" needs review and possible revision before the Board can approval it. It will be discussed further and will be brought back to the Board at a later time.

The motion carried.

**Consent Agenda:**

**a. Approval of Award Proposals, Purchases and Renewals a total cost of \$2,147,207.16**

Recommendation: It was requested that the Committee recommend for Board approval of the award of proposals, purchases, renewals, and interlocal agreement at a total cost of \$2,146,769.10, as listed below:

- Awards of Proposals**
- 1) **Building Moving Services:** award the proposal for building moving services to **Zuniga's House Mover, LLC** (San Juan, TX) for the period beginning June 1, 2025 through May 31, 2026, with two one-year options to renew, at an estimated total amount of \$50,000.00;
  - 2) **Dental Lab Equipment – Grant Funded:** award the proposal for dental lab equipment to **Henry Schein Dental** (Melville, NY) at a total amount of \$178,469.61;
  - 3) **Maintenance Department Vehicles:** award the proposal for maintenance department vehicles to **Payne Rio Grande City Ford LLC** (Rio Grande City, TX ) at a total amount of \$97,179.00;
  - 4) **Network Cabling Services for Building Renovation Projects:** award the proposal for network cabling services for building renovation projects to the vendors listed in Appendix A for the period beginning May 28, 2025 through May 27, 2026, with two one-year options to renew at an estimated total amount of \$250,000.00;

**APPENDIX A**

**Vendors List**

Primary Vendor	<b>BridgeNet Communications, LLC</b> (Donna, TX)
Secondary Vendor	<b>Telepro Communications</b> (Mission, TX)

- 5) **Pecan Campus Building D Auditorium Audiovisual Upgrade:** award the proposal for the Pecan Campus Building D Auditorium audiovisual upgrade to **Audio Visual Aids** (San Antonio, TX) at an estimated total amount of \$67,562.40;
- 6) **Purchase and Installation of LED Flat Panels – Starr County Campus Building E:** award the proposal for the purchase and installation of LED flat panels - Starr County Campus Building E to **Metro Electric, Inc.** (McAllen, TX) at a total amount of \$82,254.00;
- 7) **Purchase and Installation of Parking Lot LED Light Poles and Fixtures – Pecan Campus and Starr County Campus:** award the proposal for the purchase and installation of parking lot LED light poles and fixtures - Pecan Campus and Starr County Campus to **Lexine Inc.** (McAllen, TX) at a total amount of \$93,856.00;

- Purchases**      **8) Computers, Laptops, Tablets, and Monitors:** purchase computers, laptops, tablets, and monitors from the vendors listed in Appendix A at a total amount of \$177,938.10;

**APPENDIX A**

**Vendors List**

Vendor (City, State)	Purchasing Cooperative	Amount
<b>Apple, Inc.</b> (Dallas, TX)	Choice Partners Cooperative	\$2,524.00
<b>Dell Marketing, LP</b> (Dallas, TX)	State of Texas Department of Information Resources (DIR) OMNIA Partners	\$168,274.10
<b>Insight Public Sector</b> (Chandler, AZ)	OMNIA Partners	\$7,140.00
Total Amount:		\$177,938.10

- 9) Furniture:** purchase furniture from the vendors listed in Appendix A at a total amount of \$127,814.99;

**APPENDIX A**

**Vendors List**

Vendor (City, State)	Purchasing Cooperative	Amount
<b>BSN Sports</b> (Dallas, TX)	Texas Association of School Boards – Buyboard	\$5,690.00
<b>Gateway Printing and Office Supply, Inc.</b> (Edinburg, TX)	OMNIA Partners, Sourcewell, The Interlocal Purchasing System (TIPS)	\$74,530.75
<b>Landscape Forms</b> (Kalamazoo, MI)	OMNIA Partners	\$17,546.56
<b>Siddons-Martin Emergency Group</b> (Denton, TX)	Texas Association of School Boards – Buyboard	\$10,210.00
<b>Tree Top Products, LLC</b> (Batavia, IL)	The Interlocal Purchasing System (TIPS)	\$19,837.68
Total Amount:		\$127,814.99

- 10) Mobile Medical Carts – Grant Funded:** purchase mobile medical carts from **Howard Technology Solutions/Howard Medical** (Laurel, MS), The Interlocal Purchasing System (TIPS) approved vendor, at a total amount of \$53,895.00;
- 11) Solar/Wind Energy Training Systems:** purchase solar/wind energy training systems from **Advanced Technologies Consultants** (Plymouth, MI), The Interlocal Purchasing System (TIPS) approved vendor, at a total amount of \$252,000.00;

**Renewals**

- 12) Cosmetology Supplies and Equipment:** renew the cosmetology supplies and equipment contracts with the vendors listed in Appendix A for the period beginning June 26, 2025 through June 25, 2026, at an estimated total amount of \$110,000.00;

**APPENDIX A**  
**Vendors List**

Vendor (City, State)	Vendor (City, State)
<b>The Burmax Co., Inc.</b> (Holtsville, NY)	<b>Hinojosa Beauty Supplies, LLC</b> (McAllen, TX)
<b>Kaemark</b> (Giddings, TX) (New)	<b>Marianna Industries, Inc.</b> (Omaha, NE)
<b>SalonEquipment.com, LLC</b> (Brea, CA)	<b>STB USA, LLC</b> (McAllen, TX)
<b>Universal Companies, Inc.</b> (Abingdon, VA) (New)	

- 13) Medical Office Skills Training:** renew the medical office skills training contract with **Assistex, Inc./ dba Practice Management Institute** (San Antonio, TX) for the period beginning July 1, 2025 through June 30, 2026, at no cost to the College;

- 14) Network Cabling and Equipment Installation Services:** renew the network cabling and equipment installation services with the vendors listed in Appendix A for the period beginning July 26, 2025 through July 25, 2026, at an estimated total amount of \$95,000.00;

**APPENDIX A**  
**Vendors List**

Primary Vendor	<b>Telepro Communications</b> (Mission, TX)
Secondary Vendor	<b>BridgeNet Communications, LLC</b> (Donna, TX)

- 15) Telephone Services:** renew the telephone services with **Smartcom Telephone, LLC** (McAllen, TX), for the period beginning June 21, 2025 through June 20, 2026, at an estimated monthly amount of \$13,400.00, and an estimated annual amount of \$160,800.00;

- 16) Temporary Personnel Services:** renew the temporary personnel services with the vendors listed in Appendix A for the period beginning June 29, 2025 through June 28, 2026, at an estimated total amount of \$350,000.00;



**APPENDIX A**  
**Vendors List**

<b>Vendor (City, State)</b>	<b>Vendor (City, State)</b>
<b>Express Employment Professionals</b> (McAllen, TX)	<b>Fewell Professional Services/ dba FPS Staffing</b> (McAllen, TX)
<b>Five Star Staffing, LLC/ dba Spherion Staffing</b> (McAllen, TX)	<b>Infojini, Inc.</b> (Columbia, MD)
<b>Manpower Group US, Inc.</b> (McAllen, TX)	<b>Onin Staffing, LLC</b> (McAllen, TX)
<b>PeopleReady, Inc.</b> (Tacoma, WA)	<b>Texas Staffing Pros, LLC</b> (McAllen, TX)

**Interlocal Agreement**

- 17) City Vehicle Usage Agreement:** modify the term of the city vehicle usage agreement with the **City of McAllen** (McAllen, TX). The current agreement period, which was extended on October 29, 2024, covers the dates of October 1, 2024 through August 31, 2025. The modified proposed agreement will extend the agreement period from May 1, 2025 through April 30, 2027.

This item was approved by the Board as part of consent agenda action.

**b. Approval to Purchase a Vendor Management, Electronic Bidding, and Contract Management System**

**Purpose** Purchase a vendor management, electronic bidding, and contract management system from Vertosoft/OpenGov (Leesburg, VA), a State of Texas Department of Information Resources (DIR) approved vendor.

**Justification** To replace the existing system purchased in the Fall of 2020 and currently in use, but whose term will expire on June 30, 2025. The contract management and vendor management system is used to automate and centralize the procurement process, improve vendor engagement, and enhance solicitations collaboration.

The key modules for the Vendor Management, Electronic Bidding, and Contract Management System are as follows:

1. Vendor Registration
2. Contract Management
3. Bid Module/Proposal Submission (not utilized in the current system)

The system capabilities are as follows:

- Streamlines operations by implementing a more efficient, standardized, and transparent procurement process.
- Enhances vendor management through robust tracking and communication tools, improving relationships with vendors.
- Enables secure electronic submissions of bids and proposals via a cloud-based platform. (Optional to the vendor.)
- Ensures complete submissions by verifying that all required documents and signatures are included, reducing the risk of disqualification. (Optional to the vendor.)
- Automates key tasks such as bid validation and compliance checks, improving efficiency and reducing human error.
- Boosts transparency by providing real-time visibility into procurement activities and decision-making processes.
- Maintains confidentiality and security by restricting system access to authorized users only, protecting sensitive information, and maintaining process integrity.
- Avoids receiving late bids or proposals due to 3rd party delivery services.

Vendors who prefer not to submit an electronic proposal will be permitted to submit a paper version instead.

**Enclosed  
Documents**

Appendix A – Pricing Schedule was included in the Board packet.  
Appendix B - Presentation was included in the Board packet.  
were included in the Board packet for the Board's information and review.

**Staff Resource**

Mary Del Paz, Vice President for Finance and Administrative Services  
Deyadira Leal, Director of Purchasing

This item was approved by the Board as part of consent agenda action.

**Consent Agenda:**

**c. Approval on Resolution #2025-009 for Adoption of Rules Relating to Electronic Bids or Proposals**

**Purpose** To obtain Board of Trustees approval of Resolution #2025-009 for the adoption of rules relating to electronic bids or proposals.

**Justification** The Purchasing Department is proposing the procurement and implementation of a secure electronic solution for receiving bids or proposals. The system is intended to modernize and streamline procurement operations by allowing vendors to submit bids or proposals electronically through a secure platform.

The submission of bids or proposals using the vendor management system Vertosoft/OpenGov presented to the Finance Committee previously in this packet, is optional for the vendors. Bids or proposals will be accepted by the College either by the electronic system submission or manually delivered to the College.

Before this system may be implemented, the College must comply with Texas Education Code § 44.0313, which requires that the Board of Trustees formally adopt rules governing the use of electronic systems for receiving bids or proposals. These rules will establish clear procedures to ensure that all electronic submissions are properly handled, securely stored, and remain confidential until the time they are reviewed. Board approval of these rules is required before the electronic system may be used in the College procurement process.

Texas Education Code § 44.0313 states the following:

- A) A school district may receive bids or proposals under this chapter through electronic transmission if the board of trustees of the school district adopts rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.

The rules are incorporated as Exhibit A in the resolution.

**Enclosed Documents** Resolution #2025-009 was included in the Board packet for the Board's information and review.

**Funding** Funds for this expenditure are budgeted in the Purchasing Department for FY 2024 – 2025. Funds for subsequent fiscal years will be included in future proposed budgets.

This item was approved by the Board as part of consent agenda action.

**Consent Agenda:**

**d. Approval on Bond Counsel Services**

<b>Purpose</b>	To approve the renewal of the bond counsel services with Ricardo Perez Law Firm, PLLC (McAllen, TX).
<b>Justification</b>	<p>To provide bond counsel services and represent the College in the areas of public education bond law, tax law, local government law, the trial and appeal of bond validation actions, and the issuance, refunding, or defeasement of tax-exempt bonds and notes. Also, to provide legal advice and counsel to the College's President, Administrative staff, Board Committees, and the Board of Trustees as needed on the services listed above.</p> <p>The bond counsel also provides the services described in Appendix B.</p>
<b>Enclosed Documents</b>	Appendix A – Renewal Terms and Appendix B – Bond Counsel Services were included in the Board packet for the Board's information and review..
<b>Staff Resource</b>	Mary Del Paz, Vice President - Finance and Administrative Services Myriam M. Lopez, Associate Vice-President - Finance and Management

This item was approved by the Board as part of consent agenda action.

**Consent Agenda:**

**e. Approval on Schedule for Non-Summer Four-and-a-Half-Day Work Week and a Summer 36-Hour Work Week**

<b>Purpose</b>	To approve the schedule of a non-summer four-and-a-half-day work week and a summer 36-hour work week for Fiscal Year 2026, starting August 2025 and ending in August 2026.
<b>Justification</b>	<p>The modified work schedule has proven effective for the college in terms of talent retention, employee satisfaction, and market competitiveness in recruiting new employees.</p> <p>The standard schedule for the College will be a Non-Summer four-and-a-half-day work week and a Summer 36-hour work week, however, the schedule will continue to be monitored and evaluated for effectiveness and may be revised as deemed necessary.</p> <p>The standard work schedules are as follows:</p>

**Non-Summer Work Schedule**

- The four-and-a-half work week consists of the following:

- ⇒ Begins the week before the fall semester begins in August 2025 and concludes the week of the May 2026 graduation ceremonies.
- ⇒ Monday – Thursday
  - 8:00 am – 5:30 pm (Half hour Lunch)
  - 7:30 am – 5:00 pm (Half hour Lunch)
  - 7:45 am – 5:15 pm (Half hour Lunch)
  - 8:00 am – 6:00 pm (Full hour Lunch)
- ⇒ Friday
  - 8:00 am – 12:00 pm (applicable for all schedules above)

### **Summer Work Schedule**

- The 36-hour work week schedule consists of the following:
  - ⇒ Begins the week after the May 2026 graduation and concludes two weeks before the Fall semester begins in August 2026.
  - ⇒ Monday – Thursday
    - Full-time employees will work four (4) days for nine (9) hours each day, totaling 36 hours. Exceptions or flexible schedules may be applied for positions required to work on Friday.
  - ⇒ Friday
    - A 4-hour Leave Paid College Closed will be populated every week for the duration of the Summer period for non-exempt employees.

Exceptions outside these schedules would be made at the discretion and approval of the supervisor. Supervisors will have the final authority to approve an employee's schedule, considering the department's needs. Supervisors will ensure that administrative offices are open during regular business hours of 8:00 a.m. – 5:00 p.m. Monday – Thursday, or as otherwise required by specific departments and programs.

#### **Enclosed Documents**

Appendix A – Board Approval of Work Week Schedule was included in the Board packet for the Board's information and review.

#### **Funding**

No funds are required

#### **Staff Resource**

Dr. Ricardo J. Solis, President  
Mary Del Paz, Vice President for Finance and Administrative Services

This item was approved by the Board as part of consent agenda action.

### **Consent Agenda**

#### **f. Approval to Accept the Internal Audit Report in the Area of Senate Bill 17**

<b>Purpose</b>	To recommend Board acceptance of the Internal Audit Report in the Area of Senate Bill 17 after discussion of the procedures, finding, and recommendation conducted by Mr. Khalil Abdullah, Chief Internal Auditor.
<b>Justification</b>	<p>The Internal Audit Function, reviews and appraises business activities, integrity of records, and effectiveness of operations in accordance with the Institute of Internal Auditors International <i>Standards</i> for the Professional Practice of Internal Auditing. It assists the College in accomplishing its objectives by evaluating and improving the effectiveness of the College's risk management, governance, and internal controls.</p> <p>The SB 17 audit was included in the FY 2025 Audit Plan and encompassed a review of Texas Education Code 51.3525, Senate Bill 17 Guidance.</p>
<b>Enclosed Documents</b>	Appendix A – Internal Audit Report was included in the Board packet for the Board's information and review.
<b>Funding</b>	No funds are required.
<b>Staff Resource</b>	Dr. Ricardo J. Solis, President Mary Del Paz, Vice President for Finance and Administrative Services Khalil Abdullah, Chief Internal Auditor

This item was approved by the Board as part of consent agenda action.

### **Consent Agenda**

#### **g. Approval on Resolutions #2025-010, #2025-011, and #2025-012 Regarding Services Provided to the Public by Students of Workforce Programs**

**Purpose** Administration requests that the Committee recommend Board approval on resolutions #2025-010, #2025-011, and #2025-012 regarding services provided to the public by students of Cosmetology, Welding, and Automotive Workforce programs at less than fair market value.

**Justification** In a written legal opinion from O'Hanlon, Demerath & Castillo, South Texas College, through its Board of Trustees, may provide services to the public through students of Cosmetology, Welding, and Automotive Workforce programs at no cost. This should be done in conjunction with the adoption of a resolution that recites adherence to the South Texas College Policy CIB (Local) – Equipment and Supplies Management: Disposal of Property, specifically to the three-part test regarding the use of public funds. The three-part test requires the Board of Trustees to determine that the conveyance is not a gift of public funds by considering the following:

- a. The predominant purpose of the alternative method of disposal is to accomplish a public purpose, not to benefit private parties;
- b. The Board shall retain sufficient control over the disposed items to ensure the public purpose is accomplished and to protect the public's investment; and
- c. The College District shall receive a return benefit.

The resolution has been reviewed by the President, the Vice President and Provost for Academic Affairs and Economic Development, the Vice President for Finance and Administrative Services, and Mr. Mark Goulet, from O'Hanlon, Demerath & Castillo Law Firm.

**Enclosed Documents** Appendix A – Resolution #2025-010 – Cosmetology  
Appendix B – Resolution #2025-011 – Welding  
Appendix C – Resolution #2025-012 – Automotive  
were included in the Board packet for the Board's information and review.

**Staff Resource** Dr. Anahid Petrosian, Vice President and Provost for Academic Affairs and Economic Development  
Mary Del Paz, Vice President for Finance and Administrative Services

This item was approved by the Board as part of consent agenda action.



### **Consent Agenda**

#### **h. Approval to Revise Local Policy**

<b>Purpose</b>	To revise the local policy listed in Appendix A to align with College operations.
<b>Justification</b>	The local policy was revised to reflect the updates to the College's internal operations. Below is a justification for the revised local policy.
<b>Enclosed Documents</b>	Appendix A – Policy and justification Appendix B – Policy were included in the Board packet for the Board's information and review.
<b>Staff Resource</b>	Mary Del Paz, Vice President for Finance and Administrative Services Zach Suarez, Executive Director for Human Resources and Talent Development
<b>Recommendation</b>	The Committee recommended Board approval to revise Policy DGBA (LOCAL) – Personnel-Management Relations: Employee Grievances, as presented, and which supersedes any previously adopted Board policy.

#### **Appendix A**

Revised Policies	Justification
Policy DGBA (LOCAL) – Personnel-Management Relations: Employee Grievances	This policy revision serves to provide explicit clarification that the decision rendered by the Level Two Administrator constitutes the final resolution under this policy and is not subject to further appeal.

#### **Appendix B**

Policies followed in the packet.

At the request of Dr. Alejo Salinas, Chair, this item was removed from consent agenda for further discussion and possible revision. He commented that the language is difficult to read and asked if maybe it could be simplified.

Mr. David De Los Rios suggested that Legal Counsel review the policy and return to the Finance Committee at a later time. If the Committee recommended approval, then this item would be brought back to the Board for review at a later time.

There was no action taken on this item.

## **Discussion and Action as Necessary to Reject Proposals for Non-Credit Course Registration and Management Software**

<b>Purpose</b>	Reject the two (2) proposals received for Non-Credit Course Registration and Management Software.
<b>Justification</b>	Administration has determined that one proposal is incomplete, and the second one does not comply with the terms and conditions of the proposal.
<b>Staff Resource</b>	Dr. Anahid Petrosian, Vice President and Provost for Academic Affairs and Economic Development Olivia D. De La Rosa, Dean - Continuing Education and Workforce Development
<b>Additional Information</b>	Information for this item was not available at the time of the May 13, 2025 Committee meeting, and is presented to the Board without a Committee recommendation.

Upon a motion by Mr. Paul Rodriguez and a second by Ms. Rose Benavidez the Board of Trustees of South Texas College approved and authorized the rejection of proposals for non-credit course registration and management software as presented.

The motion carried.

## **Review of Presentations Delivered to the Facilities Committee**

The following presentation was delivered to the Facilities Committee on Tuesday, May 13, 2025

### **Review and Update on the Sustainability Programs**

<b>Purpose</b>	Administration is providing information regarding the sustainability programs in place at South Texas College.
<b>Justification</b>	<p>The College's sustainability efforts are focused on reducing environmental damage in day-to-day operations by implementing activities that advance sustainable practices, such as initiatives in energy and water conservation by using Building Automation Systems (BAS) and waste minimization programs.</p> <p>The Environmental, Health, Safety &amp; Risk (EHS&amp;R) Department serves the college by collaborating with different departments to enhance sustainability efforts at South Texas College.</p> <p>The following sustainability programs will be presented:</p> <ul style="list-style-type: none"><li>• Energy Conservation</li><li>• Water Conservation</li><li>• Waste Minimization (Recycling Program)</li></ul>
<b>Enclosed Documents</b>	Appendix A – Sustainability Programs Presentation was included in the Board packet for the Board's information and review.
<b>Staff Resource</b>	Jorge L. Sanchez, Environmental, Health & Safety (EHS) Manager George McCaleb, Executive Director of Facilities Operations and Maintenance Mary Del Paz, Vice President for Finance and Administrative Services
<b>Recommendation</b>	No action was required from the Committee. This item was presented for information purposes.

No action was necessary on this item. It was presented for information purposes only.

## **Review and Action as Necessary on Consent Agenda Items from the Facilities Committee**

The following Consent Agenda items were thoroughly discussed by the Facilities Committee. All trustees, whether a member of the Committee or not, received all supporting documentation and were invited to participate in the deliberation on the items. Non-committee members did not participate in Committee votes for recommendation of Board action.

Administration believes that all questions raised during the Committee discussion of Consent Agenda items were resolved to the Committee's satisfaction at the meeting, and the items are presented here substantially as recommended by the Committee, for approval by the Board of Trustees.

Any trustee may request an item or items be removed from the Consent Agenda for further discussion. Otherwise, the Board is asked to formally act on the full consent agenda, according to the details and recommended action presented for each item in the following pages.

The Facilities Committee recommended Board action on the following items as presented:

- a. Approval on Schematic Design and Authorization to Proceed with Solicitation of Construction Services for the Pecan Campus Business and Science Building G Engineering Labs Renovation
- b. Approval on Substantial Completion of the Technology Campus Resurfacing of Parking Lot #2 and Regrading of Existing Swales
- c. Approval on Substantial and Final Completion of the District Wide Flooring Replacements Phase IV at Technology Campus Technical Careers Building B
- d. Approval on Final Completion of the District Wide Flooring Replacements Phase IV at Pecan Campus Sylvia Esterline Center for Learning Excellence Building C
- e. Approval on Final Completion of the District Wide Flooring Replacements Phase IV at Starr County Campus Student Services Building G
- f. Approval on the Round 3 Evaluation Process to Contract Architectural and Engineering Services
- g. Approval on the Negotiation and Execution of a Lease Agreement for Upper-Level Criminal Justice Course Offerings

Upon a motion by Mr. Paul Rodriguez and a second by Mr. David De Los Rios the Board of Trustees of South Texas College approved and authorized items a – g of the Facilities Committee Consent Agenda as presented.

The motion carried.

**Consent Agenda:**

**a. Approval on Schematic Design and Authorization to Proceed with Solicitation of Construction Services for the Pecan Campus Business and Science Building G Engineering Labs Renovation**

**Purpose** To approve the schematic design and solicitation of construction services for the Pecan Campus Business and Science Building G Engineering Labs Renovation project.

**Justification** Schematic design is the first phase of basic design services provided by the project design team and establishes the basis on which the project design team proceeds with design development and construction documents.

On January 28, 2025, the Board of Trustees approved contracting architectural services with Sam Garcia Architect, LLC. The architect has worked with College staff to develop a schematic design to meet the needs of the program.

- Design and construction of the renovation to include:

- **Instructional Spaces**

- Three (3) Engineering Labs
    - Storage/Prep Area

Square Feet: 3,616 sq. ft.

The estimated construction cost for the project is \$400,000.

Construction Budget

**Enclosed Documents** Appendix A – Schematic Design  
Appendix B – Fact Sheet  
were included in the Board packet for the Board's information and review.

**Staff Resource** Ricardo de la Garza, Executive Director for Facilities Planning & Construction  
Mary Del Paz, Vice President for Finance and Administrative Services

This item was approved by the Board as part of consent agenda action.

**Consent Agenda:**

**b. Approval on Substantial Completion of the Technology Campus Resurfacing of Parking Lot #2 and Regrading of Existing Swales**

**Purpose** To approve substantial completion of the project.

**Justification** College staff and the Architect visited the site and developed a construction punch list on April 28, 2025.

- Engineer: Perez Consulting Engineers, LLC
- Contractor: D&J Site Construction

A Certificate of Substantial Completion has been issued. Substantial Completion was accomplished within the time allowed in the Owner/Contractor agreement. The original cost approved for this project was \$178,723.73.

**Enclosed Documents** Appendix A – Current Budget Status  
Appendix B – Photos  
Appendix C – Substantial Completion Letter  
Appendix D – Fact Sheet  
were included in the Board packet for the Board's information and review.

**Staff Resource** Ricardo de la Garza, Executive Director for Facilities Planning & Construction  
Mary Del Paz, Vice President for Finance and Administrative Services

This item was approved by the Board as part of consent agenda action.

**Consent Agenda:**

**c. Approval on Substantial and Final Completion of the District Wide Flooring Replacements Phase IV at Technology Campus Technical Careers Building B**

**Purpose** To approve substantial and final completion of the project.

**Justification** College staff and the Architect visited the site and developed a construction punch list on April 14, 2025.

- Contractor: Diaz Floors & Interiors, Inc.

A Certificate of Substantial Completion has been issued. Substantial Completion and Final Completion, including punch list items, were accomplished within the time allowed in the Owner/Contractor agreement. The original cost approved for this project was \$63,403.37.

**Enclosed Documents** Appendix A – Current Budget Status  
Appendix B – Photos  
Appendix C – Substantial Completion Letter  
Appendix D – Final Completion Letter  
Appendix E – Fact Sheet  
were included in the Board packet for the Board's information and review.

**Staff Resource** Ricardo de la Garza, Executive Director for Facilities Planning & Construction  
Mary Del Paz, Vice President for Finance and Administrative Services

This item was approved by the Board as part of consent agenda action.

**Consent Agenda:**

**d. Approval on Final Completion of the District Wide Flooring Replacements  
Phase IV at Pecan Campus Sylvia Esterline Center for Learning Excellence  
Building C**

<b>Purpose</b>	To approve final completion of the project.
<b>Justification</b>	<p>On April 22, 2025, the Board of Trustees approved Substantial Completion of this project.</p> <ul style="list-style-type: none"><li>• Contractor: Diaz Floors &amp; Interiors, Inc.</li></ul> <p>Final Completion, including punch list items, was accomplished as required in the Owner/Contractor agreement for this project. The original cost approved for this project was \$72,240.</p>
<b>Enclosed Documents</b>	<p>Appendix A – Current Budget Status Appendix B – Photos Appendix C – Final Completion Letter Appendix D – Fact Sheet</p> <p>were included in the Board packet for the Board’s information and review.</p>
<b>Staff Resource</b>	<p>Ricardo de la Garza, Executive Director for Facilities Planning &amp; Construction Mary Del Paz, Vice President for Finance and Administrative Services</p>

This item was approved by the Board as part of consent agenda action.



**Consent Agenda:**

**e. Approval on Final Completion of the District Wide Flooring Replacements  
Phase IV at Starr County Campus Student Services Building G**

**Purpose** To approve final completion of the project.

**Justification** On April 22, 2025, the Board of Trustees approved Substantial Completion of this project.

- Contractor: Diaz Floors & Interiors, Inc.

Final Completion, including punch list items, was accomplished as required in the Owner/Contractor agreement for this project. The original cost approved for this project was \$20,912.

**Enclosed Documents** Appendix A – Current Budget Status  
Appendix B – Photos  
Appendix C – Final Completion Letter  
Appendix D – Fact Sheet  
were included in the Board packet for the Board's information and review.

**Staff Resource** Ricardo de la Garza, Executive Director for Facilities Planning & Construction  
Mary Del Paz, Vice President for Finance and Administrative Services

This item was approved by the Board as part of consent agenda action.

**Consent Agenda:**

**f. Approval on the Round 3 Evaluation Process to Contract Architectural and Engineering Services**

**Purpose** To review and approve Round 3 evaluation process for the design firm.

**Justification** Architectural and engineering services are necessary for design and construction administration services for construction projects. The design scope of work includes, but is not limited to, design, analysis, preparation of plans and specifications, permit applications, construction administration, and inspection of the project.

**Background** The Board of Trustees approved the evaluation and selection process for architectural and engineering services on July 20, 2023. College staff evaluates the submissions from the architectural and engineering firms in Rounds 1 and 2 of the evaluation process. The Board of Trustees may employ Round 3 of the evaluation process and take additional steps to evaluate the firms, including requesting a presentation and/or an interview.

On April 22, 2025, the Board of Trustees approved to proceed with a Round 3 evaluation for the Pecan Campus Institutional Support Services Building N Expansion project. The top two (2) ranked architectural firms will be invited to make a presentation to the Board on the topics listed below.

Evaluation Questions

1. How will your design support the space programming needs to meet the usage of this space, including flow of traffic, furniture options, and storage? **(0 – 20 points)**
2. What considerations will you undertake to support the needs of the program? **(0 – 20 points)**
3. What design elements will ensure the space delivers a strong, positive impact for the College? **(0 – 20 points)**
4. What steps will your firm undertake to contain costs and deliver the project within the proposed budget? Provide details describing the team's knowledge and experience with the local construction market. **(0 – 20 points)**
5. What examples can you provide of comparable projects designed by your team? **(0 – 20 points)**

Scoring Rubric

- Each trustee will score the presentations according to the following rubric:
  - a. 20 points: Excellent
  - b. 15 points: Good
  - c. 10 points: Fair
  - d. 5 points: Poor
  - e. 0 points: Not addressed

**Enclosed Documents**                      None.

**Staff Resource**                      Ricardo de la Garza, Executive Director for Facilities Planning & Construction  
Mary Del Paz, Vice President for Finance and Administrative Services

This item was approved by the Board as part of consent agenda action.

**Consent Agenda:**

**g. Approval on the Negotiation and Execution of a Lease Agreement for Upper-Level Criminal Justice Course Offerings**

**Purpose**                                      To recommend Board approval of the continued negotiation and execution of a lease agreement for offering upper-level Criminal Justice courses in McAllen, Texas.

**Justification**                            The College is working with Sam Houston State University (SHSU) to support SHSU in offering a bachelor's in Criminal Justice/Law Enforcement in McAllen, Texas. This program would increase the opportunities for South Texas College Law Enforcement and Criminal Justice graduates to earn a bachelor's degree from a premier institution in that field without leaving the region.

The agreement would permit SHSU to use general classroom space for instruction, offering afternoon and evening courses. Currently, the Fall 2025 and Spring 2025 semesters are planned for this agreement.

**Enclosed Documents**                      Appendix A – Cost Calculation was included in the Board packet for the Board's information and review.

**Staff Resource**                            Dr. Anahid Petrosian, Vice President and Provost for Academic Affairs and Economic Development  
Dr. Brett J. Millan, Associate Vice President for Academic Success and Advancement  
Ms. Mary Del Paz, Vice President for Finance and Administrative Services

This item was approved by the Board as part of consent agenda action.

## **Review and Update on Five-Year Plan for the Unexpended Plant Fund Budget**

<b>Purpose</b>	Update on the planned budget projections for five (5) years of the Unexpended Plant Fund budget.
<b>Justification</b>	Administration and College staff develop plans for funding future and ongoing projects beyond the current fiscal year. The budget includes proposed funding and budget transfers from other funds needed to meet the College's long-term construction plans.
<b>Enclosed Documents</b>	Appendix A – Five-Year Unexpended Plant Fund Budget Plan was included in the Board packet for the Board's information and review.
<b>Staff Resource</b>	Ricardo de la Garza, Executive Director for Facilities Planning & Construction Mary Del Paz, Vice President for Finance and Administrative Services
<b>Recommendation</b>	This item was presented for the Board's information only. No action was requested.

## **Update on Status of Unexpended Plant Fund Construction Projects and Renewals & Replacements Projects**

<b>Purpose</b>	The Facilities Planning and Construction staff prepared the attached design and construction update. This update summarizes the status of each capital improvement and renewals & replacements project currently in progress, including a categorization based on priority.
<b>Enclosed Documents</b>	Appendix A – Capital Improvement Projects Milestones Appendix B – Budget Report Appendix C – Capital Improvement Projects Overview Appendix D – Renewals & Replacements Projects Overview Appendix E – Outstanding Issues were included in the Board packet for the Board's information and review.
<b>Staff Resource</b>	Ricardo de la Garza, Executive Director for Facilities Planning & Construction Mary Del Paz, Vice President for Finance and Administrative Services
<b>Recommendation</b>	This item was presented for the Board's information only. No action was requested.

### **Approval of Financial Reports for March 2025**

Administration recommends Board approval of the financial reports for the month of March 2025.

The following financial reports have been provided under separate cover:

- 1) Quarterly Investment Report and Money Market Accounts for March 2025.
- 2) Summary of Revenues for March 2025.
- 3) Summary of State Appropriations Revenue for March 2025.
- 4) Summary of Property Tax Revenue for March 2025.
- 5) Summary of Expenditures by Classification for J March 2025.
- 6) Summary of Expenditures by Function for March 2025.
- 7) Summary of Auxiliary Fund Revenues and Expenditures for March 2025.
- 8) Summary of Grant Revenues and Expenditures for March 2025.
- 9) Foundation Financial Activity for March 2025.

Ms. Mary Del Paz, Vice President for Finance and Administrative Services, was available to respond to questions posed by the Board.

Upon as motion by Mr. Paul Rodriguez and a second by Mr. David De Los Rios the Board of Trustees of South Texas College approves and authorizes the submitted financial reports for the month of March 2025.

The motion carried.

### **Review of Informational Reports as of April 2025**

Administration includes the following information reports as of April 2025 for the Board's information.

- 1) Checks for \$125,000 and above for April 2025.
- 2) Check Register for April 2025.
- 3) Summary of Purchase Orders (Purchasing) for April 2025.
- 4) Summary of Bid Solicitations (Purchasing) for April 2025.
- 5) Employee New Hires for April 2025.
- 6) Employee Resignations/Retirements for April 2025.

The reports were presented for review by the Board and are provided under separate cover.

Ms. Mary Del Paz, Vice President for Finance and Administrative Services, was available to respond to questions posed by the Board.

No action was required from the Board. This item was presented for information purposes.

## **Review and Discussion of College President's Contract (Texas Government Code 551.074, Personnel Matters)**

The Board of Trustees is asked to review and take action as necessary regarding a proposed amendment to the President's Contract.

No action was taken during Executive Session.

### **Announcements**

#### **A. Next Meetings:**

- Tuesday, June 10, 2025
  - 3:00 p.m. – Education and Workforce Development Committee
  - 4:00 p.m. – Facilities Committee
  - 5:00 p.m. – Finance, Audit, and Human Resources Committee
- Tuesday, June 24, 2025
  - 5:30 p.m. – Regular Board Meeting

#### **B. Other Announcements:**

- The College will be closed June 19, 2025 in observance of Juneteenth.

### **Adjournment**

There being no further business to discuss, the Regular Board Meeting of the South Texas College Board of Trustees adjourned at 7:45 p.m.

I certify the foregoing are the true and correct minutes of the Tuesday, May 27, 2025 Regular Board Meeting of the South Texas College Board of Trustees.

X\_\_\_\_\_

Mr. Danny Guzman

Board Secretary

## Report of New Grants

**Grant Title:** WorkSafe Training Program Grant

**Awarding Agency:** Texas Mutual Insurance Company

**Division Awarded:** Academic Affairs and Economic Development

**Departments Awarded:** Center for Advanced Training & Apprenticeships (CATA) & Continuing Education and Workforce Development (CEWD)

**Amount Awarded:** \$100,000

**Funding Period:** April 15, 2025 to April 15, 2026

**Strategic Goal #1 Alignment:** Lead Community Engagement

**Project Summary:** Funding will be used to expand and enhance our training initiatives in workplace safety and life-saving skills. The college will design and implement a curriculum of courses, subject to Texas Mutual approval, to be provided to employers and employees in the Rio Grande Valley area. The courses will vary in length (from one-half day to no more than five days) and will cover subjects designed to promote safer workplaces in Texas. College will place specific emphasis on motor vehicle safety.

---

**Grant Title:** Adult Promise – Jag Reconnect

**Awarding Agency:** South Texas College Foundation

**Division Awarded:** Student Affairs and Enrollment Management

**Departments Awarded:** Student Engagement and Completion Services

**Amount Awarded:** \$125,000

**Funding Period:** January 31, 2025 to January 31, 2027

**Strategic Goal #4 Alignment:** Foster Student Success

**Project Summary:** Funding will be used to remove barriers that prevent up to 100 students from accessing, persisting, and completing their academic pathways by providing Financial Assistance via student scholarships.

---

**Grant Title:** TEACH

**Awarding Agency:** Texas Association for the Education of Young Children (TXAEYC)

**Division Awarded:** Academic Affairs and Economic Development

**Departments Awarded:** Continuing Education and Workforce Development

**Amount Awarded:** \$19,838.50

**Funding Period:** August 24, 2024 to August 24, 2025

**Strategic Goal #4 Alignment:** Foster Student Success

**Project Summary:** Funding will be used to provide Early Childhood Registered Apprenticeship program students Financial Assistance via scholarships to support them in obtaining credentials and degrees.

---

**Grant Title:** Early Childhood Workforce Connector

**Awarding Agency:** WRMA, a TriMetrix Company

**Division Awarded:** Academic Affairs and Economic Development

**Departments Awarded:** Continuing Education and Workforce Development (CEWD)

**Amount Awarded:** \$15,000

**Funding Period:** September 19, 2023 to June 28, 2028

**Strategic Goal #4 Alignment:** Foster Student Success

**Project Summary:** Funding will be used for books, testing fees and supplies, curriculum development and mentor stipend in support of the Early Childhood Education Registered Apprenticeship (ECE RA) program. The ECE RA program targets early childhood educators who need a Child Development Associate (CDA) credential. The program is an 18-month, 3,000-hour apprenticeship that includes 160 hours of related instruction and results in a Department of Labor Nationally Recognized Credential. Apprentices will earn journeyman status upon successful completion.

---

**Grant Title:** BEST

**Awarding Agency:** Building Efficiency for a Sustainable Tomorrow (BEST) Center

**Division Awarded:** Academic Affairs and Economic Development

**Departments Awarded:** Business, Public Safety, and Technology (BPST)

**Amount Awarded:** \$20,000

**Funding Period:** June 2025 to June 2026

**Strategic Goal #2 Alignment:** Promote Academic Integrity and Excellence

**Project Summary:** The BEST Center (Building Efficiency for a Sustainable Tomorrow) has been contracted by the Lawrence Berkeley National Lab (LBNL) with funding from the Department of Energy (DOE) to offer mini-grants to implement two new courses: (1) a lecture-based, modularized curriculum on Energy Literacy and Building Energy Efficiency Strategies, and (2) a lab-based course on Building Automation Systems (BAS) Basics. Funds will be used to develop and integrate the BAS Basics course and energy modules into the Heating, Ventilation, Air Conditioning, and Refrigeration (HVACR) program.

---

**Grant Title:** Data to Action (D2ATX) Grant

**Awarding Agency:** Texas Higher Education Coordinating Board (THECB)

**Division Awarded:** Institutional Advancement and External Affairs

**Departments Awarded:** Office of Sponsored Initiatives

**Amount Awarded:** \$118,450

**Funding Period:** June 1, 2025 to March 31, 2027

**Strategic Goal #4 Alignment:** Foster Student Success

**Project Summary:** South Texas College will partner with Urban Institute to increase data collection around parenting students while enhancing its approaches in supporting student parent success. Urban Institute is a nonprofit research organization that has created a Data-to-Action Campaign for Parenting Students that aims to inform, guide, and steward the implementation of parenting status data collection. Urban Institute identifies standards of practice and strategies to overcome challenges as the process is field tested. These insights will support STC in improving enrollment, persistence, and student outcomes. Funds will be used for stipends, travel and supplies.

---

**Grant Title:** South Texas Alliance for Student Wellbeing subaward

**Awarding Agency:** Alamo Colleges District

**Division Awarded:** Student Affairs and Enrollment Management

**Departments Awarded:** Counseling and Student Accessibility Services

**Amount Awarded:** \$17,500



**Funding Period:** June 2025 to June 2027

**Strategic Goal #4 Alignment:** Foster Student Success

**Project Summary:** Supporting efforts to strengthen student mental health support across Texas, South Texas College will collaborate with Alamo Colleges District and Laredo College to establish the South Texas Alliance for Postsecondary Student Wellbeing. This regional initiative will focus on enhancing institutional capacity and sustainability through community building and peer learning. Supported through the Meadows Mental Health Institute and incorporating the Minding College Minds framework, the alliance will enhance institutional capacity, sustainability, and peer-learning initiatives. As part of the alliance STC will build a comprehensive landscape analysis of our current mental health services, along with support for data analysis, sustainability planning, and faculty training.

Funds will be used for implementation and analysis of the Minding College Minds framework and travel to annual convenings.

## **Review and Recommend Action on Approval of Round 3 Evaluation Scoring Options for Contracting Architectural and Engineering Services**

<b>Purpose</b>	To review and recommend approval of the scoring options to be used in the Round 3 evaluation for selecting a design firm for architectural and engineering services.
<b>Justification</b>	Architectural and engineering services are critical for the planning, design, and execution of college construction projects. These services encompass a range of activities, including site analysis, design development, preparation of construction documents and specifications, permitting, construction administration, and project inspection.
<b>Background</b>	<p>On July 20, 2023, the Board of Trustees approved a multi-phase process for evaluating and selecting architectural and engineering firms. As part of this process, college staff completed evaluations in Rounds 1 and 2. The process also allows the Board to initiate a Round 3 evaluation, which may include presentations and/or interviews to support final selection.</p> <p>On April 22, 2025, the Board approved the use of a Round 3 evaluation for the Pecan Campus Institutional Support Services Building N Expansion Project. The two top-ranked firms from Round 2 have been invited to present their proposals at the Board meeting scheduled for June 24, 2025, and the Board will evaluate the presentations based on five (5) areas previously reviewed by the Board.</p> <p>Following these presentations, the Board may select from the following scoring options to determine the final award:</p> <ul style="list-style-type: none"><li>• <b>Option 1:</b> Combine and average scores from Rounds 2 and 3 to determine the highest-ranking firm.</li><li>• <b>Option 2:</b> Use only the scores from Round 3 to make the final selection.</li></ul>
<b>Staff Resource</b>	Ricardo de la Garza, Executive Director for Facilities Planning & Construction Mary Del Paz, Vice President for Finance and Administrative Services
<b>Recommendation</b>	The Board of Trustees of South Texas College approves the Round 3 evaluation scoring options for contracting architectural and engineering services, to proceed with awarding the contract based on the selected scoring method and evaluation outcome.

## **Review and Update on the Pecan Campus Institutional Support Services Building Expansion Interviews with Architectural Firms**

<b>Purpose</b>	An update on the status of contracting architectural services for the project.
<b>Justification</b>	<p>On April 22, 2025, the Board of Trustees requested to interview the top two (2) ranked architectural firms.</p> <p>On May 27, 2025, the Board of Trustees approved the questions to be asked at the interviews. The two (2) firms will be interviewed at the June 24, 2025 Board meeting.</p>
<b>Enclosed Documents</b>	None.
<b>Staff Resource</b>	<p>Ricardo de la Garza, Executive Director for Facilities Planning &amp; Construction</p> <p>Mary Del Paz, Vice President for Finance and Administrative Services</p>
<b>Recommendation</b>	This item is presented for the Board's information only. No recommended action is requested.

## **Review of Presentations Delivered to Education and Workforce Development Committee**

The following presentation was delivered to the Education and Workforce Development Committee on Tuesday, June 10, 2025:

### **Presentation on Enrollment Services Student Retention and Completion Strategies**

<b>Purpose</b>	Mr. Matamoros, Dean of Enrollment Services, will deliver a presentation highlighting two strategic initiatives aimed at improving student retention and completion.
<b>Justification</b>	Mr. Matamoros will provide an overview of the StayOn Track initiative, recently launched to assist students at risk of losing financial aid eligibility. He will also present an update on the implementation of the JagReconnect program, which is designed to support returning adult learners who have earned some college credit but have not yet completed a credential. Additionally, Mr. Matamoros will highlight organizational changes within Student Financial Services that have resulted in operational efficiencies and improvements in the financial aid award process.
<b>Enclosed Documents</b>	PowerPoint presentation.
<b>Funding</b>	No funds are required.
<b>Staff Resource</b>	Tony Matamoros, Dean of Enrollment Services.
<b>Recommendation</b>	No action was necessary on this item.

# Enrollment Strategies

*Education & Workforce Development  
Committee- **Board of Trustees***



**SOUTH TEXAS  
COLLEGE**

## Areas of Priority

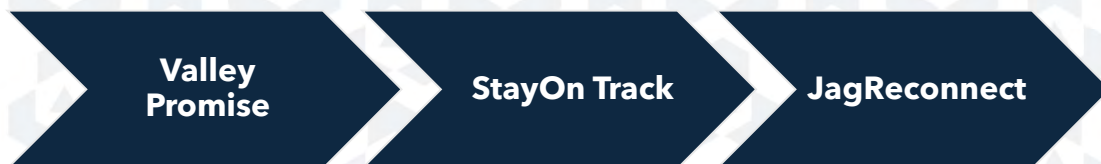
- Operational Efficiencies
- Optimize Financial Aid Processes and Procedures
- Simplify Information to Students and Parents
- Integrate Technology in Financial Aid Packaging Process
- Timely Resolution of Financial Aid Issues
- Pro-Active Measures for At-Risk Students
- Flexible Payment Options

## Highlights

- Increase in Early Enrollment of Students
- Decrease in Unpaid Accounts
- New Payment Options
- Decrease in Students Dropped for Non-Payment:

Semester	Students Dropped For Non-Payment	} <b>33% Decrease</b>
Spring 2024	433	
Spring 2025	291	

## Enrollment Strategies



## Satisfactory Academic Progress (SAP)

**Good**

**Warning**

**Suspension**

### SAP Criteria:

- 1) Minimum 2.0 GPA
- 2) Complete 67% of Attempted Credits
- 3) Graduate within the Maximum Time Frame

## 2024-2025 Academic Year SAP Data



# Key Student Data Points

71%

Receive Financial Aid

44%

Former Students Stopped Out Due to Financial Issues

35%

Struggle to Pay Bills

Sources:  
2025 STC Student Financial Services Data  
2024 Trellis STC Re-Engagement Survey  
2024 STC Survey of Entering Student Engagement (SENSE)

# STC Student Profile



<b>Student Type:</b>	Continuing
<b>Program:</b>	ADN
<b>Degree Progress:</b>	23%
<b>GPA:</b>	2.7
<b>SAP Status:</b>	<b>Suspension</b>
<b>Attempted Hours:</b>	20
<b>Completed Hours:</b>	13
<b>FA Completion:</b>	65%



## STC Student Profile



**Student Type:** Returning  
**Program:** HVAC Certificate  
**Degree Progress:** 98%  
**GPA:** 4.0  
**SAP Status:** **Suspension**  
**Attempted Hours:** 27  
**Completed Hours:** 12  
**FA Completion:** 44%

## Potential StayOn Track Recipients

**627** Students Currently on Suspension with 2.0+ GPA

Students	Credit Hours Needed to Regain Financial Aid*
138	6
260	12

*\*Courses Must be Completed with Grade of "D" or Better*

## StayOn Track

### Program Components:

- Early Interventions for At-Risk Students
- Personalized Coaching and Mentoring
- Tuition Assistance to Help Regain Financial Aid Eligibility
- Ongoing Case Management
- Financial Planning and Literacy Education
- Wrap-Around Services

## JagReconnect Program Success Rates



**JAG  
RECONNECT**

**7.3%**  
Reenrollment

**37%**  
Persistence

**10%**  
Transfer

**19%**  
Graduation

## JagReconnect

### Program Components:

- Personalized Coaching and Mentoring
- Case Management and Monitoring of Academic Progress
- Covers Tuition for Remaining Courses if Close to Completion
- Wrap-Around Services

## JagReconnect

### Program Criteria:

- Be a Texas resident, residing in Hidalgo or Starr County
- Complete a credential within two consecutive semesters
- Enroll in minimum of six credit hours each semester
- Demonstrate financial need
- Have and maintain a cumulative GPA of 2.0
- Meet financial aid SAP standards

## **JagReconnect Priorities**

- Expand Presence in Community
- Implement Flexible Enrollment Hours
- Collaborate with Local Agencies Offering GED Programs
- Work with ISDs to Target Alumni and Recovery High Schools
- Secure Additional Funding

## **Presentation on South Texas College and the Talent Strong Texas Pathways Project**

<b>Purpose</b>	Administration will present on the history and future of South Texas College's participation with the Talent Strong Texas Pathways (TSTP) project, a Texas Association of Community Colleges and Texas Success Center collaboration targeting barriers to entry and success in Texas' colleges and aligning educational programs to workforce needs.
<b>History</b>	<p>STC has participated in all three multi-year rounds of the TSTP since its inception with the first round of institutes beginning in Fall 2016. During each round, colleges across the state collaborated on success strategies and explored practices that could elevate student opportunities and performance at each college.</p> <p>STC developed and implemented several key initiatives during this process, which have each boosted our student support and accomplishments. These initiatives are cross-divisional efforts that bring departments across the college together to focus, intentionally, on best practices to serve students. Initiatives are aligned to the key Pillars of TSTP:</p> <ul style="list-style-type: none"><li>Pillar 1: Clarify Paths to Student End Goals</li><li>Pillar 2: Help Students Choose and Enter a Pathway</li><li>Pillar 3: Help Students Stay on Path</li><li>Pillar 4: Ensure that Students are Learning</li></ul> <p>Administration will provide additional details on activities completed under each Pillar, as well as ongoing activities for the duration of the current TSTP Round 3.</p> <p>Administration will also provide an overview of the proposed Round 4 cohort, for which STC has applied. This application identifies STC as an "Impact College" and would have STC focus its resources on supporting the Dual Credit Program's partnerships with ISDs in the promotion of student successes aligned with state priorities.</p>
<b>Enclosed Documents</b>	A PowerPoint summarizing the details of STC's TSTP participation is included and will be presented at the meeting.
<b>Funding</b>	There are no immediate financial implications associated with this initiative.
<b>Staff Resources</b>	Dr. Christopher Nelson, Dean of Liberal Arts

**Recommendation** No action was requested.

This item was to provide information and solicit feedback from the trustees.



# South Texas College and Texas Pathways Projects

*Presented by*

Dr. Christopher Nelson, Dean of Liberal Arts

Dr. Fernando Chapa, Dean of Institutional Research,  
Effectiveness, and Strategic Planning

## Overview

- Introduction to Talent Strong Texas Pathways
- Pathways Initiatives Completed or Ongoing at STC (Rounds 1-3)
- Remaining Pathways Initiatives to Complete (Round 3)
- Preview of Pathways Round 4



Texas Success Center

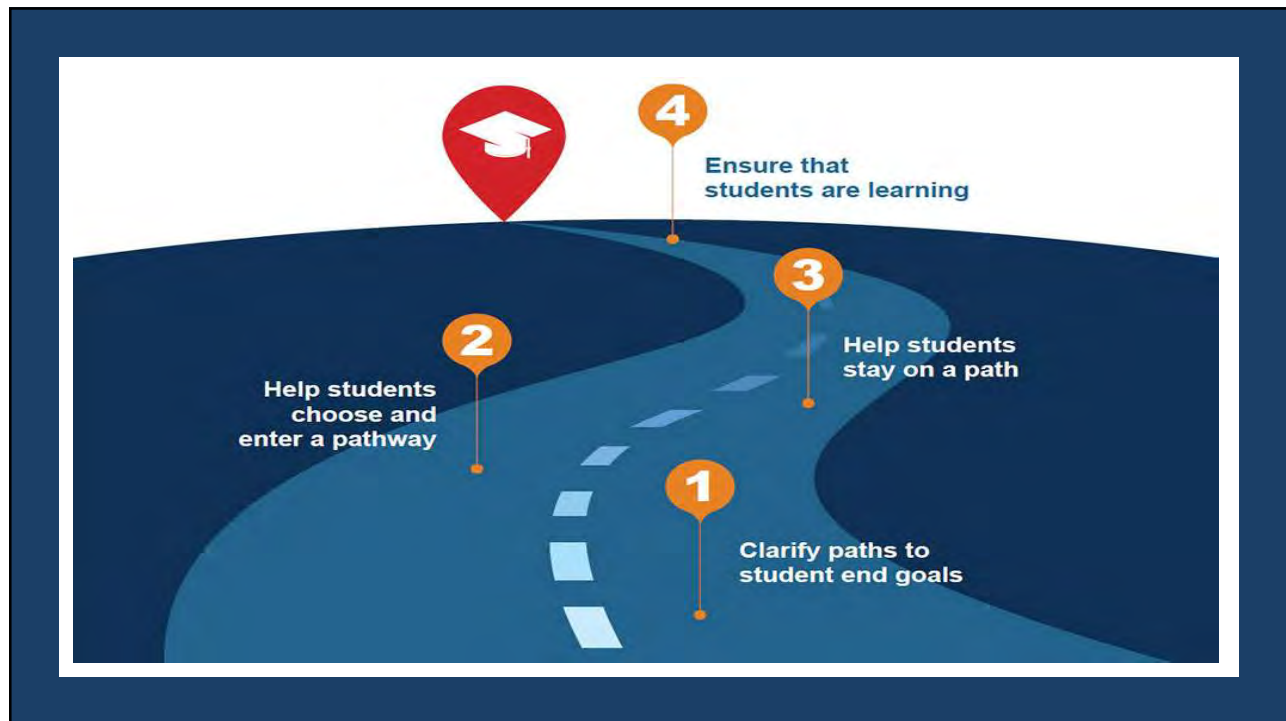




## Talent Strong Texas Pathways (TSTP)

**Talent Strong Texas Pathways (TSTP)** is a strategic initiative designed to create structured academic and career pathways to help all students succeed, from high school through postsecondary education and into meaningful careers.

Initiative involves **collaboration** between community colleges, workforce partners, and industry leaders to develop pathways that align with student success and regional workforce needs.





# Introduction to Talent Strong Texas Pathways

## The Four Pillars

- **Pillar 1:** *Clarify paths to student end goals*
- **Pillar 2:** *Help students choose & enter a pathway*
- **Pillar 3:** *Help students stay on a path*
- **Pillar 4:** *Ensure that students are learning*



## Pathways Initiatives: Completed or Ongoing at STC (Rounds 1-3)

### Pillar 1: *Clarify Paths to Student End Goals*

- Developed **Curriculum Maps** for each program
- Developed **Meta-Majors** (Program Clusters)
- Mapped **High School Endorsements** to STC programs and dual credit courses
- Updated **Backward Transfer Maps** for all top transfer universities
- Began developing pathways from **Non-credit to Credit Programs**



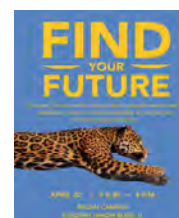
<https://www.southtexascollege.edu/map/>  
<https://academicaffairs.southtexascollege.edu/transfer-center/transfer-opportunities.html>



## Pathways Initiatives: Completed or Ongoing at STC (Rounds 1-3)

### Pillar 2: *Help Students Choose and Enter a Pathway*

- Developed **Mandatory Advising** for FTIC students
- Implemented the **Co-Requisite Model** of developmental education
- Explored **New Student Orientation** options for non-FTIC students
- Redesigned **College Webpages** to align with meta-majors
- Launched the “**Find Your Future**” Exploratory Event



## Pathways Initiatives: Completed or Ongoing at STC (Rounds 1-3)

### Pillar 3: *Help Students Stay on Path*

- Implemented and expanded the **Early Alert System**
- Established **Student Financial Literacy Program**
- Established procedures for **Credit for Prior Learning (PLA)**
- Developed operational plan for **My Advising Plan (QEP)**
- Developed **Process Maps** of the student experience at STC



<https://academicaffairs.southtexascollege.edu/pla-guidelines-and-procedures-manual.pdf>



## Pathways Initiatives: Completed or Ongoing at STC (Rounds 1-3)

### Pillar 4: *Ensure that Students are Learning*

- Established the **FOCUS Academy** for faculty
- Established **Task Forces** on core objective and learning outcomes assessments
- Developed **SPARK**, an online Teaching Academy
- Joined AAC&U's "**Strengthening Guided Pathways**" Project
- Hosted and institutionalized the **Annual Data Summit**



## Remaining Pathways Initiatives to Complete (from Round 3)

- **Transfer Maps** for top university partners available online
- **Program Credential Maps** for all programs
- Formalize **Case-management Model** of advising for GPS and Faculty Advisors
- Develop **Touch Point Maps** (from onboarding to completion) for all student types
- Create a **Program Vitality Report/Scorecard** for program evaluation, including post-completion success metrics



## Remaining Pathways Initiatives to Complete *cont'd*

- Develop processes for **Basic Needs Supports and Services**
- Become a **Caring Campus**
- Participate in **Minding College Minds Project** (2nd Cohort)
- Partner with Alamo Colleges District and Laredo College on the **STA-Well Project**
- Participate in the **Translating Opportunity Texas Project**



## Preview of Pathways Round 4

- Application submitted **May 22, 2025**
  - Focus: **"Impact College,"** focusing on **Dual Credit**
  - **6-person team**
- **Summer Catalyst Event** (July 2025) for CEOs
- **Institute 1 (Fall 2025):** Design the Plan
- **Institute 2 (Spring 2026):** Implement the Plan
- **Institute 3 (Fall 2026):** Assess the Plan
- **Institute 4 (Spring 2027):** Analyze the Results



Questions?



## **Review and Discussion of Proposed South Texas College 2025-2031 Strategic Plan**

<b>Purpose</b>	Administration will discuss the development of the proposed South Texas College 2025-2031 Comprehensive Strategic Plan, highlighting goals, strategic directions, and strategies. The goals, strategic directions, and strategies build on the vision, mission, and values adopted by the Board in July 2024 and complete the formulation of the College's 2025-2031 Strategic Plan. Formulation of the goals, strategic directions, and strategies used institutional data as well as information provided by faculty and staff members, students, and external stakeholders in a process that began in fall 2023. Administration welcomes feedback from the Committee.
<b>Justification</b>	The 2025-2031 Comprehensive Strategic Plan will form the basis of the College's direction for the coming six years. It will be used by units to detail their respective institutional effectiveness plans. Through its participation and adoption of the College's Strategic Plan the Board exercises its role setting priorities for the College.
<b>Funding</b>	No funding is requested with this presentation.
<b>Enclosed Documents</b>	Draft South Texas College 2025-2031 Strategic Plan Presentation slides was included
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Performance, Planning, and Strategic Initiatives, will introduce Dr. Fernando Chapa, Dean for Institutional Research, Effectiveness, and Strategic Planning, to present the 2025-2031 Strategic Plan.
<b>Recommendation</b>	This presentation was for the Education and Workforce Development Committee's information only. No action was requested.

# South Texas College 2025-2031 Strategic Plan

Education and Workforce Development Committee  
June 10, 2025



## Overview

- Strategic Plan Development Timeline and Process
- Review and Feedback on Plan
- Next Steps

# Timeline

- **Phase 1 (AY 23-24)** New Mission, Vision, Core Values
  - Begin Gathering Data
- **Phase 2 (AY 24-25)** 
  - Finalize New Strategic Plan
- **Phase 3 (AY 25-26)**
  - Implement and Monitor

## Timeline Phase 1

### Phase 1 (AY 23-24)

- **Gathered Data**
- **Environmental Scan**
- **Student Focus Groups**
- **Closed out 2019 - 2025 Strategic Plan**
- **SWOT Analyses**
- **Board Workshops (SWOT)**
- **Revised new Vision, Mission and Core Values**
- **Community Survey**
- **Revised Vision, Mission, and Core Values**



## Timeline Phase 2

### Phase 2 (AY 24-25)

- **Gather and Analyze Data**
- **Working Groups**
  - **Institutional Planning and Effectiveness Committee**
  - **Institutional Leadership Council**
  - **President's Cabinet**
- **Planning Workshop 2/28**
- **Developed Draft Goals**

## Timeline Phase 2 cont.

### Phase 2 (AY 24-25)

- **Constituent Feedback (Achieving the Dream)**
  - **Open Feedback Forums across service district**
  - **Open Online Survey**
- **Finalize Draft of 2025-2031 Strategic Plan**
  - **Goals and Strategies**

# Timeline Phase 3

## Phase 3 (AY 25-31)

- **Implement 2025-2031 Strategic Plan**

## Goals

Goal 1 Champion Student Success

Goal 2 Develop, Align and Optimize Educational Programs

Goal 3 Maximize Institutional Effectiveness & Efficiency

Goal 4 Cultivate Community Engagement

## Goal 1 Champion Student Success

*Ensure every student has the support and resources needed to succeed from entry to completion.*

### Strategic Direction 1: Remove Barriers to Educational Goals

- a) Establish Jaguar Resource Centers to support students with essential needs.
- b) Expand tuition assistance programs.

### Strategic Direction 2: Strengthen Student Engagement and Campus Culture

- a) Implement Caring Campus best practices.
- b) Expand welcoming campus events and co-curricular programs.
- c) Develop a coordinated student communication and holistic support strategy.

## Goal 2 Develop, Align, and Optimize Educational Programs

*Deliver innovative, future-focused programs that equip students with the skills and credentials needed for success.*

### Strategic Direction 1: Innovate and Expand Learning Opportunities

- a) Design learning opportunities, credentials, and degrees that address workforce demands and integrate emerging technologies, including Artificial Intelligence.
- b) Expand co-curricular and extracurricular programming to enrich student learning and engagement.

### Strategic Direction 2: Optimize Existing Programs

- a) Standardize and streamline program review to ensure quality.
- b) Leverage learning outcomes data for program and curricula improvement strategies.
- c) Increase access to work-based learning.
- d) Diversify instructional modalities.

## **Goal 2 (Cont) Develop, Align, and Optimize Educational Programs**

*Deliver innovative, future-focused programs that equip students with the skills and credentials needed for success.*

### **Strategic Direction 3: Enhance Student Transitions Across Education Pathways**

- a) Promote program pathway maps.
- b) Strengthen alignment of educational offerings.
- c) Accelerate college readiness

## **Goal 3 Maximize Institutional Effectiveness & Efficiency**

*Align resources, talent, and technology to ensure operational excellence and mission-driven decision-making.*

### **Strategic Direction 1: Align Resources and Operations to Advance Institutional Goals**

- a) Coordinate planning and project management across departments.
- b) Enhance internal communication.
- c) Exercise fiscal responsibility.

### **Strategic Direction 2: Leverage Technology and Data**

- a) Integrate AI and emerging technologies to streamline operations and strengthen decision-making.
- b) Foster a culture of continuous improvement.

### **Strategic Direction 3: Develop and Retain Institutional Talent**

- a) Provide meaningful professional development.
- b) Invest in career and personal development for faculty and staff.

## Goal 4 Cultivate Community Engagement

*Strengthen relationships and partnerships with community to build trust, visibility, and shared prosperity.*

### Strategic Direction 1: Enhance Visibility and Reputation of the College

- a) Expand public awareness.
- b) Celebrate, preserve and promote college identity through the history and mission of South Texas College.

### Strategic Direction 2: Deepen Strategic and Regional Partnerships

- a) Strengthen collaboration with educational entities, employers, workforce boards, civic and governmental leaders to advance regional goals.
- b) Cultivate alumni and retiree associations.

### Strategic Direction 3: Grow External Investment and Philanthropic Support

- a) Increase and align external funding with institutional goals and strengthen donor engagements to advance regional goals.

## Next Steps

- Solicit Board of Trustees Feedback (June 2025)
- Revise Strategic Plan (July 2025)
- Include Key Performance Metrics, Goals, and Targets (July)
- Finalize Plan and Board Approval (July 2025)
- Align Departmental Institutional Effectiveness Plans (Aug. – Sept. 2025)
- Implement and Monitor 2025-20231

# **South Texas College**

## **2025–2031 Strategic Plan**

Realizing Our Vision  
Realizando Nuestra Visión

## Goals and Strategic Directions

### Goal 1: Champion Student Success

Ensure every student has the support and resources needed to succeed from entry to completion.

#### Our Focus:

Provide holistic and coordinated support that helps every student achieve personal, academic, and career success. Through programs that foster care and connection, we remove barriers and promote engagement that leads to lifelong learning and opportunity.

#### Strategic Direction 1: Remove Barriers to Educational Goals

- a) **Establish Jaguar Resource Centers** to support students with essential needs such as food, housing, transportation, and mental health.
- b) **Expand tuition assistance programs and pursue opportunities to lower cost of attendance.**

#### Strategic Direction 2: Strengthen Student Engagement and Campus Culture

- a) **Implement Caring Campus best practices** across all campuses, departments, and service areas.
- b) **Expand welcoming campus events and co-curricular programs** that foster connection and belonging.
- c) **Develop a coordinated student communication and holistic support strategy** that combines technology and personal outreach to guide and support students through their educational journey.

## Goal 2: Develop, Align, and Optimize Educational Programs

Deliver innovative, future-focused programs that equip students with the skills and credentials needed for success.

### Our Focus:

Deliver high-quality academic and workforce programs that respond to emerging industry needs and equip students with the skills, credentials, and adaptability needed for personal growth and social mobility.

### Strategic Direction 1: Innovate and Expand Learning Opportunities

- a) **Design learning opportunities, credentials, and degrees** that address workforce demands and integrate emerging technologies, including Artificial Intelligence.
- b) **Expand co-curricular and extracurricular programming** to enrich student learning and engagement.

### Strategic Direction 2: Optimize Existing Programs

- a) **Standardize and streamline program review** to ensure quality, innovation, and labor market alignment.
- b) **Leverage learning outcomes data** for program and curricula improvement strategies.
- c) **Increase access to work-based learning** through partnerships offering internships, apprenticeships, clinicals, and hands-on experience.
- d) **Diversify instructional modalities** to support flexibility, engagement, and access for all learners.

### Strategic Direction 3: Enhance Student Transitions Across Education Pathways

- a) **Promote program pathway maps** that support student goal setting, career planning, completion, and transfer.
- b) **Strengthen alignment of educational offerings** across credit, dual enrollment, noncredit, and transfer pathways to support stackable credentials and seamless advancement.
- c) **Accelerate college readiness** through targeted support and high-impact teaching practices.



### Goal 3: Maximize Institutional Effectiveness and Efficiency

Align resources, talent, and technology to ensure operational excellence and mission-driven decision-making.

#### Our Focus:

Operate as a unified, data-informed, and high-performing institution. By aligning systems, strengthening communication, leveraging technology, and investing in talent, we will improve institutional agility, accountability, fiscal responsibility, and impact.

#### Strategic Direction 1: Align Resources and Operations to Advance Institutional Goals

- a) **Coordinate planning and project management** across departments to align resources with strategic priorities.
- b) **Enhance internal communication** to support collaboration and transparency across the institution.
- c) **Exercise fiscal responsibility** by prioritizing funding for strategic goals and strengthening the College's long term financial stability.

#### Strategic Direction 2: Leverage Technology and Data

- a) **Integrate AI and emerging technologies** to streamline operations and strengthen decision-making.
- b) **Foster a culture of continuous improvement** by embedding actionable data in planning and evaluation.

#### Strategic Direction 3: Develop and Retain Institutional Talent

- a) **Provide meaningful professional development** and growth opportunities for faculty and staff across all roles.
- b) **Invest in career and personal development** for faculty and staff to create an environment for them to thrive.

#### Goal 4: Cultivate Community Engagement

Strengthen relationships and partnerships with community to build trust, visibility, and shared prosperity.

##### Our Focus:

South Texas College will strengthen its role as a trusted community leader by building collaborative partnerships, expanding visibility, and aligning with regional goals to support student success and economic growth.

##### Strategic Direction 1: Enhance Visibility and Reputation of the College

- a) **Expand public awareness** through storytelling, media outreach, and community-facing events that promote civic engagement, culture, and access to learning.
- b) **Celebrate, preserve and promote college identity** through the history and mission of South Texas College.

##### Strategic Direction 2: Deepen Strategic and Regional Partnerships

- a) **Strengthen collaboration** with educational entities, employers, workforce boards, civic and governmental leaders to advance regional goals.
- b) **Cultivate alumni and retiree associations** to foster connection, pride, and long-term support.

##### Strategic Direction 3: Grow External Investment and Philanthropic Support


- a) **Increase and align external funding** with institutional goals and strengthen donor engagement.

## **Review of Presentations Delivered to Finance, Audit, and Human Resources Committee**

The following presentation was delivered to the Finance, Audit, and Human Resources Committee on Tuesday, June 10, 2025:

### **Review and Discussion of Preliminary Unrestricted Fund Budget Summary for FY 2025 – 2026**

<b>Purpose</b>	<p>Mary Del Paz, Vice President for Finance and Administrative Services, will provide an update on the College's FY 2025 – 2026 Unrestricted Fund Budget.</p> <p>As part of the budget planning process, the College is evaluating the revenue and expenditure budget considerations influencing the preparation of the FY 2025 – 2026 budget.</p>
<b>Justification</b>	<p>The College's annual budget cycle includes the budget planning process that consists of projecting revenues and expenditures based on historical trend and assumptions for the upcoming fiscal year. The revenue and expenditure budget development considerations are used as the basis for the upcoming fiscal year assumptions and are a fundamental component of developing a proposed balanced budget. The proposed balanced budget is reviewed by staff, the President's Cabinet, and the Finance, Audit, and Human Resources Committee before it is presented for approval by the Board of Trustees at the annual Budget Hearing.</p>
<b>Enclosed Documents</b>	<p>Appendix A – PowerPoint</p>
<b>Staff Resource</b>	<p>Mary Del Paz, Vice President for Finance and Administrative Services</p>
<b>Recommendation</b>	<p>No action was required from the Committee. This item is presented for information and feedback to staff.</p>



**Preliminary Unrestricted Fund Budget  
Summary for FY 2025 - 2026**

**JUNE 24, 2025**

**MARIA G. DEL PAZ, MBA, CPA, CFE, CGMA**  
VICE PRESIDENT FOR FINANCE AND ADMINISTRATIVE SERVICES

1

## FY 2025 – 2026 Uncertainties

- ▶ Budget Calendar-scheduled items being deferred from June to July or August due to uncertainties
- ▶ State Appropriations Allocation - not provided by the LBB as of June 24, 2025.
- ▶ Student Enrollment
- ▶ HB9 impact on Property Tax Revenue - increase in exemption amount for business personal tangible property
- ▶ Federal Act impact on enrollment - Financial aid change
- ▶ Undocumented students tuition rate

2

## Preliminary Revenues

### Preliminary Revenues FY 2025 - 2026

#### ► State Appropriations

- Estimated decrease of \$200,000
- FY 2025 - 2026 amounts have not been released by the Legislative Budget Board

#### ► Tuition and Fees

- Flat student enrollment
- Estimated increase in revenue by \$1,760,838
  - Increase is due to shift in historical trends based on number of classes taken by students and based on actual revenue in FY 25

## Federal Act Provisions

### ► Education Policy Changes to Pell Grant Eligibility

- “Full-time” definition change: students required to complete 30 credit hours per academic year, or 15 credit hours per term to receive 100% of the Pell Grant maximum
  - Students taking 12 credits in a term and receiving a full Pell Grant will only receive 80% of the Pell Grant maximum
  - Current requirement is 12 credit hours per term
- Elimination of eligibility for less-than-half-time students
  - Students taking less than 7.5 credit hours would no longer qualify for a Pell Grant
  - Current requirement is 6 credit hours
- Effective for the 2026 - 2027 award year, pending final confirmation

5

## Texas Dream Act

- U.S Department of Justice challenges Texas Dream Act
  - Argues Texas Education Code sections related to the Texas Dream Act violate federal law
- Texas Dream Act gave college students without legal residency access to in-state tuition
- The State of Texas and federal officials reached an agreement to end this practice

6

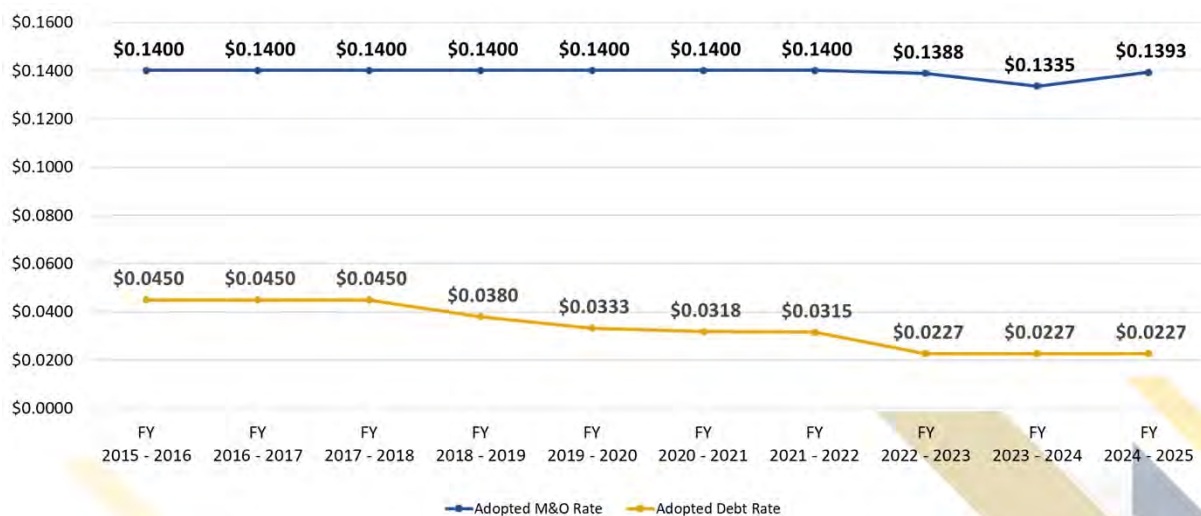
## Preliminary Revenues FY 2025 - 2026

### ► Property Taxes

- Approximate increase of \$6.5 million
- Conservative Outlook: Slight or no increase (due to HB9)
  - HB9, if signed by the Governor, increases business personal property tax exemption from \$2,500 to \$125,000 or \$250,000 for personal property that is held or used the production of income
  - Impact of HB9 on the College is not known
  - Bill passed by the House and Senate and sent to the Governor on May 22, 2025 will require constitutional amendment election in November 2025
  - Effective date FY 2026 - 2027

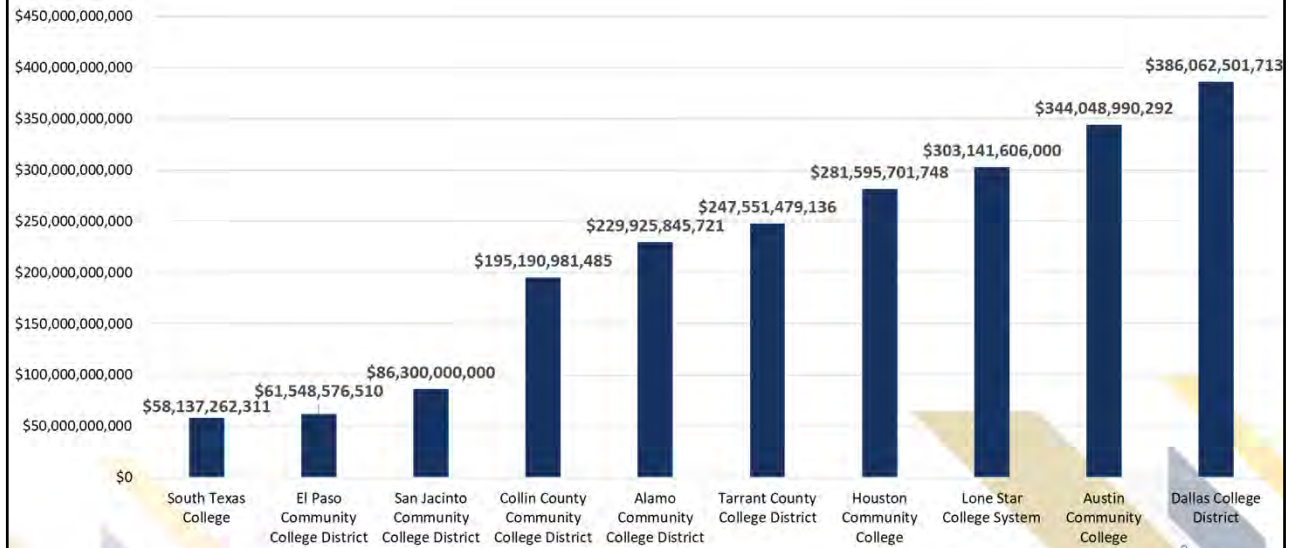
7

## 10-Year Historical Trend of M&O and Debt Tax Rates



8

## Top 10 Community Colleges 2024 Net Taxable Value



## Preliminary Revenues FY 2025 - 2026

### ► Other Revenues

- Flat
  - Interest Income
    - Additional analysis pending
  - Dual Credit Academy Participation Fee
  - Concurrent Enrollment Reimbursement Cost

### ► Carryover Fund Balance Allocation

- Net Reduction based on College needs
  - CEWD Carryover
  - Scholarship
  - ERP Implementation
  - Gap Bridging Payment
  - Unexpended Plant Fund Transfers



## Preliminary Unrestricted Fund Revenues – Carryover Detail FY 2025 – 2026

Carryover Allocation	FY 2024 - 2025 Budget (Amended)	FY 2025 - 2026 Budget (Preliminary)	Increase/ (Decrease)
Unexpended Construction Plant Fund	\$10,000,000	\$10,000,000	\$-
Continuing Education and Workforce Development	220,000	-	(220,000)
Scholarship	306,500	-	(306,500)
NAH Faculty	250,000	250,000	-
ERP Implementation	6,173,367	9,286,783	3,113,416
Gap Bridging Retention Payment	3,882,973	-	(3,882,973)
<b>Total Revenues</b>	<b>\$20,832,840</b>	<b>\$19,536,783</b>	<b>\$(1,296,057)</b>

11

## Unexpended Plant Fund Proposed Projects Impact on Unrestricted Fund Balance

Fiscal Year	Unexpended Plant Fund				Unrestricted Fund
	Unrestricted Transfer In	Interest Income	Project Costs	Ending Fund Balance	Number of Months in Reserve
FY 2025				\$ 49,121,531.31	
FY 2026	\$ 10,000,000.00	\$ 1,767,854.64	\$ 51,531,566.63	\$ 9,357,819.32	6.4
FY 2027	12,000,000.00	517,745.94	21,142,891.19	732,674.07	5.2
FY 2028	7,000,000.00	212,190.03	6,034,680.00	1,910,184.11	4.6
FY 2029	5,000,000.00	184,797.41	5,607,150.00	1,487,831.52	4.3
FY 2030	4,000,000.00	127,119.67	5,325,900.00	289,051.18	4.0
FY 2031	2,000,000.00	58,007.30	2,000,000.00	347,058.49	3.8
FY 2032	2,000,000.00	60,617.63	2,000,000.00	407,676.12	3.0
<b>Total</b>	<b>\$ 42,000,000.00</b>	<b>\$ 2,928,332.63</b>	<b>\$ 93,642,187.82</b>	<b>\$ 407,676.12</b>	

12

## Summary of Plant Fund

	Unexpended Plant Fund	Renewals and Replacements Plant Fund	Total Plant Fund
Transfer In 1997 - 2024	\$158,991,959.00	\$41,713,236.00	\$200,705,195.00
Amount Expended	106,528,729.16	27,447,438.41	133,976,167.57
Balance as of August 31, 2024	\$52,463,229.84	\$14,265,797.59	\$66,729,027.43
Transfer In 1997 - 2024	\$158,991,959.00	\$41,713,236.00	\$200,705,195.00
Transfer In 2025	10,000,000.00	-	10,000,000.00
Total Transfer In - Plant Fund	\$168,991,959.00	\$41,713,236.00	\$210,705,195.00

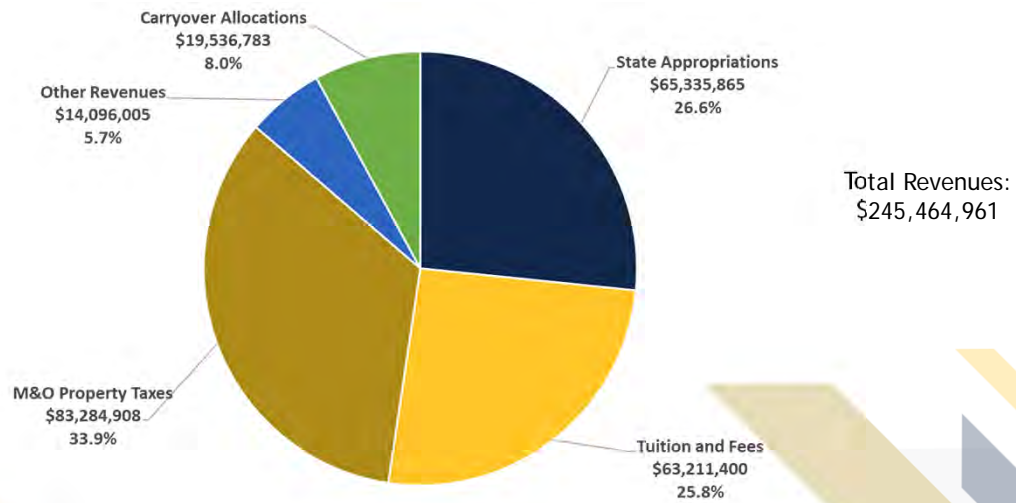
13

## Preliminary Unrestricted Fund Revenues FY 2025 – 2026

Summary of Revenues	FY 2024 - 2025 Budget (Amended)	FY 2025 - 2026 Budget (Preliminary)	Increase/ (Decrease)
State Appropriations	\$65,535,865	\$65,335,865	\$(200,000)
Tuition and Fees	61,450,565	63,211,400	1,760,835
Property Taxes	76,706,437	83,284,908	6,578,471
Other Revenues	14,096,005	14,096,005	-
Carryover Allocations	20,832,840	19,536,783	(1,296,057)
Total Revenues	\$238,621,712	\$245,464,961	\$6,843,249

14

## Preliminary Unrestricted Fund Revenues FY 2025 – 2026



15

## Preliminary Expenditures

16

## Preliminary Expenditures FY 2025 – 2026

### Salaries and Benefits

- Recommending new positions, position reclassifications and salary adjustments that do not impact the budget
- Funding sources identified from existing positions (salary pools or vacant positions)
  - Budget reductions to salary pools are permanent and the salary pool will not be re-funded
  - Budget reductions to vacant positions will result in the vacant position being deleted and the vacant position will not be re-funded

17

## Benefits Rate Increases FY 2025 – 2026

Plan	FY 2024 - FY 2025		FY 2025 - FY 2026		Increase	
	Employee Premium	Employer Premium	Employee Premium	Employer Premium	Employee Premium	Employer Premium
<b>HealthSelect of Texas</b>						
Employee Only	\$ -	\$ 624.82	\$ -	\$ 674.62	\$ -	\$ 49.80
Employee + Spouse	358.00	982.82	386.64	1,061.26	28.64	78.44
Employee + Children	239.70	864.52	258.88	933.50	19.18	68.98
Employee + Family	597.70	1,222.52	645.52	1,320.14	47.82	97.62
<b>Consumer Directed HealthSelect</b>						
Employee Only	-	624.82	-	674.62	-	49.80
Employee + Spouse	322.20	982.82	347.96	1,061.26	25.76	78.44
Employee + Children	215.72	864.52	233.00	933.50	17.28	68.98
Employee + Family	537.92	1,222.52	580.96	1,320.14	43.04	97.62
<b>State of Texas Dental Choice</b>						
Employee Only	28.73	-	31.03	-	2.30	-
Employee + Spouse	57.46	-	62.06	-	4.60	-
Employee + Children	68.95	-	74.47	-	5.52	-
Employee + Family	97.68	-	105.50	-	7.82	-
<b>State of Texas Vision</b>						
Employee Only	4.61	-	5.07	-	0.46	-
Employee + Spouse	9.22	-	10.14	-	0.92	-
Employee + Children	9.91	-	10.90	-	0.99	-
Employee + Family	14.52	-	15.97	-	1.45	-

18

## Operating and Technology Budget Requests FY 2025 – 2026 (Excluding ERP)

Division	Amount Increase/(Decrease)	Percentage Increase/(Decrease)
Academic Affairs and Economic Development	615,939	6.17%
Finance and Administrative Services	(223,130)	-0.93%
Information Services, Planning, Performance and Strategic Initiatives	(246,168)	-3.08%
Institutional Advancement and External Affairs	(15,971)	-0.80%
Office of the President	(16,585)	-0.12%
Student Affairs and Enrollment Management	12,700	0.75%
<b>Total</b>	<b>\$126,785</b>	<b>0.21%</b>

19

## Travel Budget Requests FY 2025 – 2026 (Excluding ERP)

Division	Amount Increase/(Decrease)	Percentage Increase/(Decrease)
Academic Affairs and Economic Development	60,838	3.65%
Finance and Administrative Services	73,255	30.17%
Information Services, Planning, Performance and Strategic Initiatives	(8,385)	-2.22%
Institutional Advancement and External Affairs	25,000	30.49%
Office of the President	6,000	8.22%
Student Affairs and Enrollment Management	10,000	3.67%
<b>Total</b>	<b>\$166,708</b>	<b>6.14%</b>

20

## Capital Budget Requests FY 2025 – 2026 (Excluding ERP)

Division	Amount Increase/(Decrease)	Percentage Increase/(Decrease)
Academic Affairs and Economic Development	334,564	31.59%
Finance and Administrative Services	296,540	116.33%
Information Services, Planning, Performance and Strategic Initiatives	19,000	2.55%
Institutional Advancement and External Affairs	-	-
Office of the President	-	-
Student Affairs and Enrollment Management	-	-
<b>Total</b>	<b>\$650,104</b>	<b>31.58%</b>

21

## Summary of Expenditure Budget Requests FY 2025 – 2026

Expenditure	Expenditure Requests Excluding ERP	Expenditure Requests Including ERP
Operating and Technology	\$126,785	\$3,363,767
Travel	166,708	462,092
Scholarships	(306,500)	(306,500)
Capital	650,104	(2,152,105)
<b>Total</b>	<b>\$637,097</b>	<b>\$1,367,254</b>

22

## Balanced Revenues and Expenditures FY 2025 – 2026

Division	Amount
Increase in Revenues	\$6,843,249
Less: Increase in Expenditures (Operating, Technology, Travel, Capital Only)	1,367,254
<b>Revenues Over Expenditures</b>	<b>\$5,475,995</b>

Amount available for FY 2025 - 2026 salary and benefit budget increases. Amount will fund annual salary increases, new positions, position reclassifications and salary adjustments.

Expenditure	2% GPI	2.5% GPI	3% GPI
Percentage Increase	\$4,165,844	\$4,602,295	\$5,232,955
Staffing Requests			
Salary	1,048,121	698,960	194,432
Benefits	262,030	174,740	48,608
<b>Total</b>	<b>\$5,475,995</b>	<b>\$5,475,995</b>	<b>\$5,475,995</b>

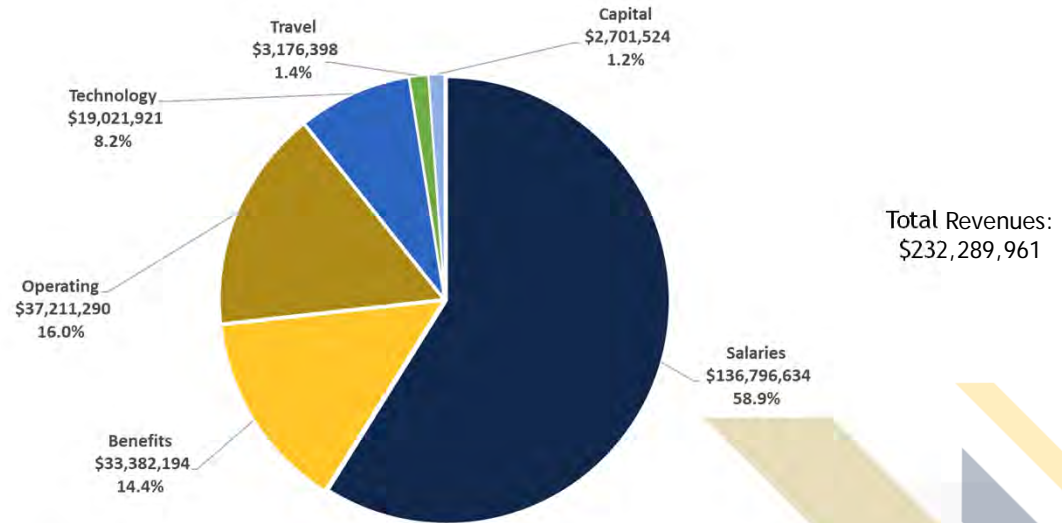
23

## Preliminary Unrestricted Fund Expenditures FY 2025 – 2026 2% GPI

Summary of Expenditures	FY 2024 - 2025 Budget (Amended)	FY 2025 - 2026 Budget (Preliminary)	Increase/ (Decrease)
Salaries	\$132,415,838	\$136,796,634	\$4,380,796
Benefits	32,286,995	33,382,194	1,095,199
Operating	42,558,700	37,211,290	(5,347,410)
Technology	10,310,744	19,021,921	8,711,177
Travel	2,714,306	3,176,398	462,092
Scholarships	306,500	-	(306,500)
Capital Outlay	4,853,629	2,701,524	(2,152,105)
<b>Total Expenditures</b>	<b>\$225,446,712</b>	<b>\$232,289,961</b>	<b>\$6,843,249</b>
Transfers & Reserves			
Transfer to Unexpended Plant Fund	10,000,000	10,000,000	-
Transfer to Student Activities Auxiliary Fund	1,175,000	1,175,000	-
Contingency Fund	2,000,000	2,000,000	-
<b>Total Transfers &amp; Reserves</b>	<b>13,175,000</b>	<b>13,175,000</b>	<b>-</b>
<b>Total Expenditures, Transfers &amp; Reserves</b>	<b>\$238,621,712</b>	<b>\$245,464,961</b>	<b>\$6,843,249</b>
<b>Revenues over Expenditures</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>

24

## Preliminary Unrestricted Fund Expenditures FY 2025 – 2026 (Excluding Transfers & Reserves)



25

## Preliminary Unrestricted Fund Revenues and Expenditures FY 2025 – 2026

Summary of Expenditures	FY 2025 - 2026 Budget (Preliminary) Scenario #1 - 2% GPI
State Appropriations	\$65,335,865
Tuition and Fees	63,211,400
Property Taxes	83,284,908
Other Revenues	14,096,005
Carryover Allocations	19,536,783
<b>Total Revenues</b>	<b>\$245,464,961</b>
Salaries	\$136,796,634
Benefits	33,382,194
Operating	37,211,290
Technology	19,021,921
Travel	3,176,398
Capital Outlay	2,701,524
<b>Total Expenditures</b>	<b>\$232,289,961</b>
Transfers & Reserves	13,175,000
<b>Total Expenditures, Transfers &amp; Reserves</b>	<b>\$245,464,961</b>
<b>Revenues over Expenditures</b>	<b>\$-</b>

26





**THANK YOU**  
**Questions?**

27

## Presentation on Sick Leave Pool Bank Write Off

**Purpose** To inform the Board of Trustees of the administration's plan to reduce and maintain the total number of hours banked in the Sick Leave Pool to a maximum of 5,000 hours, effective July 1, 2025. Beginning August 31, 2025, and annually thereafter, administration will formally write off any institutional hours exceeding this 5,000-hour threshold at the end of each fiscal year.

**Justification** The College administration recommends adjusting the total hours in the Sick Leave Pool Bank in anticipation of the implementation of GASB Statement No. 101 – *Compensated Absences*. GASB 101 provides updated accounting standards for recognizing and measuring liabilities associated with compensated absences, including sick leave. This change is part of the College's broader compliance efforts and financial reporting integrity and will have no impact on employees utilizing hours from the sick leave pool.

Additionally, a five-year analysis of Sick Leave Pool usage by members has shown an annual utilization of fewer than 2,100 hours, indicating that the existing pool exceeds necessary reserves. A 5,000-hour maximum balance ensures adequate coverage while aligning more accurately with historical trends and accounting standards.

It is important to note that this reduction affects only the institutionally held pool. Hours contributed by active employees remain unaffected and fully accessible, consistent with historical usage trends and as outlined in College Policy DEC (Local) – *Compensation and Benefits: Leaves and Absences*.

### Report Summary:

- **Sick Leave Pool Revised Maximum Balance:** 5,000 hours
- **Effective Date:** July 1, 2025
- **Rationale:** Alignment with GASB 101 implementation and average usage trends
- **Policy Reference:** DEC – *Compensation and Benefits: Leaves and Absences*

**Funding** No funds are required.

**Staff Resource** Mary Del Paz, Vice President for Finance and Administrative Services  
Myriam Lopez, Associate Vice President - Finance and Management  
Katarina Bugariu, Director - Fiscal Services

Dr. Zachary Suarez, Executive Director - Human Resources and  
Talent Development  
Alicia Correa, HR Director - Benefits and Compensation

**Recommendation** No action was required from the Committee. This item is presented for informational purposes only. The administration will continue to monitor usage trends and regulatory developments and will advise the Board of Trustees of any further recommendations or necessary changes.

## **Review and Action as Necessary on Consent Agenda Items from the Finance, Audit, and Human Resources Committee**

The following Consent Agenda items were thoroughly discussed by the Finance, Audit, and Human Resources Committee. All trustees, whether a member of the Committee or not, received all supporting documentation and were invited to participate in the deliberation on each item. Non-committee members did not participate in Committee votes for recommendation of Board action.

Administration believes that all questions raised during the Committee discussion of Consent Agenda items were resolved to the Committee's satisfaction at the meeting, and the items are presented here substantially as recommended by the Committee, for approval by the Board of Trustees.

Any trustee may request any item be removed from the Consent Agenda for further discussion. Otherwise, the Board is asked to formally act on the full consent agenda, according to the details and recommended action presented for each item in the following pages.

The Finance, Audit, and Human Resources Committee recommended Board action on the following items as presented:

- a. Approval of Award of Proposals, Reject Proposals, Purchases, Renewals, and Purchase Renewals at a total cost of \$2,088,145.78
- b. Approval of Resolution #2025-013 Regarding the Donation to the Public of Items Produced by the Learning Commons & Open Labs Department
- c. Approval to Adopt New Local Governance Policy and Retire Current Policies
  - A-1. Adopt BFE (LOCAL) – Chief Executive Officer: Evaluation
  - A-2. Retire Policy 2120: Goals for the President
  - A-3. Retire Policy 2140: Evaluation of the President
- d. Approval to Adopt the Numbered Update 49 Local Policy and Retire Local Policy
  - A. Adopt CGF (Local) – Safety Program: Security Personnel
  - B. Retire CHA (Local) – Site Management: Inspections

**It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:**

The Board of Trustees of South Texas College approve and authorize items “a- d” of the Finance, Audit, and Human Resources Committee Consent Agenda as presented.

**Approval Recommended:**

**Dr. Ricardo J. Solis**  
**President**

**Consent Agenda:**

**a. Approval of Award of Proposals, Reject Proposals, Purchases, Renewals, and Purchase Renewals at a total cost of \$2,088,145.78**

Purpose and Justification – Administration requests Board approval of the following purchases, renewals, and interlocal agreements at a total cost of \$2,088,145.78.

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

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

**Award of Proposals – 1) Campus Dining and Food Truck Services – Nursing and Allied Health Campus**

**Purpose** Award the proposal for Campus Dining and Food Truck Services – Nursing and Allied Health Campus to **All Affairs and Occasions** (Weslaco, TX).

**Justification** To provide a wide range of food options available for faculty, staff, and students throughout their time at the Nursing and Allied Health Campus. These options are available Monday through Friday and encompass a selection of breakfast tacos, biscuits, bagels, yogurt, parfait, oatmeal, French toast sticks, and lunch items such as cheeseburgers, sandwiches, quesadillas, pizza, fries, wraps, hot dogs, and salads, amongst other culinary offerings and a variety of beverages.

The vendor will remit a 2% commission of the total sales to the College.

**Enclosed Documents** Appendix A – Project Timeline and Information  
Other information is included in the Supporting Documentation.

**Staff Resource** Mary Del Paz, Vice President - Finance and Administrative Services

**Recommendation** It is requested that the Board approve to award the proposal for Campus Dining and Food Truck Services – Nursing and Allied Health Campus to **All Affairs and Occasions** (Weslaco, TX) for the period beginning July 25, 2025 through July 26, 2026, with two one-year options to renew, at no cost to the College.

**APPENDIX A**

**Project Timeline and Information**

Advertised RFP	May 7, 2025 and May 14, 2025
RFP Responses Due	May 29, 2025
RFP Issued To	Eighteen (18) Vendors

Responses Received From	Two (2) Vendors
Responses Reviewed By	Facilities Operations & Maintenance, Nursing and Allied Health Division and the Purchasing Department
Highest-Ranked Vendor	All Affairs and Occasions

## **Award of Proposals – 2) Nursing and Allied Health Lab Equipment and Supplies**

**Purpose** Award the proposals for Nursing and Allied Health lab equipment and supplies to the vendors listed in Appendix A.

**Justification** To enhance the Division of Nursing by providing equipment and supplies essential for student instruction in various instructional programs. Modern equipment and supplies offer the student realistic hands-on experiences, improving student confidence and preparedness. It enhances educational outcomes, ensures program relevance, and prepares students for successful careers in a dynamic healthcare environment

At the time of purchase, the vendor will be selected based on the items needed/provided, pricing, item availability, and delivery timeline.

**Funding** Funds for this expenditure are budgeted in the Vocational Nursing, Associate Degree Nursing, Health Occupational Therapy, Patient Care Assistant, Respiratory Therapy, Medical Assistant Technology, Pharmacy Technology, and Emergency Medical Technician budgets for FY 2024 – 2025. Funds for subsequent fiscal years will be included in future proposed budgets.

**Enclosed Documents** Appendix A – Vendors List  
Appendix B – Project Timeline and Information  
Other information is included in the Supporting Documentation.

**Staff Resource** Dr. Anahid Petrosian, Vice President and Provost for Academic Affairs and Economic Development  
Dr. Margo A. Vargas-Ayala, Interim NAH Division Dean

**Recommendation** The Committee recommends Board approval to award the proposal for nursing and allied health lab equipment and supplies to the vendors listed in Appendix A for the period beginning August 1, 2025 through July 31, 2026, with two one-year options to renew, at an estimated total amount of \$200,000.00.

## **APPENDIX A**

### **Vendors List**

<b>Vendor (City, State)</b>	<b>Vendor (City, State)</b>
<b>Bound Tree Medical, LLC</b> (Dublin, OH)	<b>Henry Schein, Inc.</b> (Melville, NY)
<b>J&amp;B Medical Supply Company, Inc.</b> (Wixom, MI)	<b>McKesson Medical-Surgical Government Solutions, LLC</b> (Henrico, VA)
<b>Medical Shipment, LLC</b> (Skokie, IL)	<b>Performance Health Supply, LLC/ dba Medco Supply, Co.</b> (Warrenville, IL)
<b>Pocket Nurse Enterprises, LLC</b> (Monaca, PA )	

## **APPENDIX B**

### **Project Timeline and Information**

Advertised RFP	April 16, 2025 and April 23, 2025
RFP Responses Due	May 7, 2025
RFP Issued To	Twenty (20) Vendors
Responses Received From	Seven (7) Vendors
Responses Reviewed By	Purchasing Department
Highest-Ranked Vendor	Vendors listed in Appendix A

### **Award of Proposals – 3) Public Art Project – College Mascot Sculptures**

<b>Purpose</b>	Award the proposal for the public art project – college mascot sculptures to <b>Douglas Clark</b> (Edinburg, TX) (New).
<b>Justification</b>	To create bronze sculptures of the College’s mascot to be displayed on various campuses. These sculptures aim to represent the institution with pride and instill school spirit in all who visit the campus.
<b>Funding</b>	Funds for this expenditure are budgeted in the Communication & Creative Services budget for FY 2024 – 2025. Funds for subsequent fiscal years will be included in future proposed budgets.
<b>Enclosed Documents</b>	Appendix A – Project Timeline and Information Other information is included in the Supporting Documentation.
<b>Staff Resource</b>	Mary Del Paz, Vice President - Finance and Administrative Services Ricardo De La Garza, Executive Director - Facilities Planning and Construction
<b>Recommendation</b>	The Committee recommends Board approval to award the proposal for the public art project – college mascot sculptures to <b>Douglas Clark</b> (Edinburg, TX) (New).

### **APPENDIX A**

#### **Project Timeline and Information**

Advertised RFP	May 7, 2025 and May 14, 2025
RFP Responses Due	May 22, 2025
RFP Issued To	Four (4) Vendors
Responses Received From	One (1) Vendor
Responses Reviewed By	Communication & Creative Services, Facilities Operations & Maintenance, Facilities Planning and Construction, and the Purchasing Department
Highest-Ranked Vendor	Douglas Clark



#### **Award of Proposals – 4) Security Cameras and Accessories**

<b>Purpose</b>	Award the proposal for security cameras and accessories to the vendors listed in Appendix A.
<b>Justification</b>	To enhance campus security and ensure consistency with the College's standardized video surveillance infrastructure, the goal is to procure security cameras, software licenses, mounting hardware, cabling, and other necessary accessories on an as-needed basis. These purchases will support ongoing maintenance, system expansions, and equipment replacements across various campus locations. Acquiring these components as needed will allow the College to respond promptly to security concerns, maintain system compatibility, and uphold safety standards for students, staff, and visitors.
<b>Funding</b>	Funds for this expenditure are budgeted in the Security Surveillance budget for FY 2024-2025. Funds for subsequent fiscal years will be included in future proposed budgets.
<b>Enclosed Documents</b>	Appendix A – Vendors List Appendix B – Project Timeline and Information Other information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President - Technology and Chief Information Officer
<b>Recommendation</b>	The Committee recommends Board approval to award the proposal for security cameras and accessories to the vendors listed in Appendix A for the period beginning June 25, 2025 through June 24, 2026, with two one-year options to renew at an estimated total amount of \$100,000.00.

#### **APPENDIX A**

##### **Vendors List**

<b>Vendor (City, State)</b>	<b>Vendor (City, State)</b>
<b>DAC (Houston, TX) (New)</b>	<b>Digi Security Systems (Dallas, TX)</b>
<b>Halifax Security, Inc. (Las Vegas, NV)</b>	<b>Superior Alarms (McAllen, TX)</b>

#### **APPENDIX B**

**Project Timeline and Information**

Advertised RFP	May 7, 2025 and May 14, 2025
RFP Responses Due	May 22, 2025
RFP Issued To	Five (5) Vendors
Responses Received From	Four (4) Vendors
Responses Reviewed By	Purchasing Department
Highest-Ranked Vendor	Vendors listed in Appendix A

**Reject Proposal – 5) Pecan Campus Physical Plant Building E Cooling Tower Above Ground Piping System**

<b>Purpose</b>	Reject the one (1) proposal received for the Pecan Campus physical plant building E cooling tower above ground piping system.
<b>Justification</b>	Administration has determined that the project was over budget. These services will be re-solicited with an updated scope of work.
<b>Staff Resource</b>	Mary Del Paz, Vice President - Finance and Administrative Services Ricardo De La Garza, Executive Director - Facilities Planning and Construction
<b>Recommendation</b>	The Committee recommends Board approval to reject the one (1) proposal received for the Pecan Campus physical plant building E cooling tower above ground piping system.

## **Purchases – 6) Computers, Laptops, and Tablets**

<b>Purpose</b>	Purchase computers, laptops, and tablets from the vendors listed in Appendix A.
<b>Justification</b>	<p>To provide new systems, replace out-of-warranty systems (over five years old), and meet software requirements for those systems that exceed the capacity for students, faculty, and staff based on the Information Technology criteria.</p> <p>The requested systems meet the College's standard configurations.</p>
<b>Funding</b>	Funds for these expenditures are budgeted in the requesting department budgets for FY 2024 - 2025 as follows: Learning Commons and Open Labs, Office of Enrollment Services, Technology Projects, Increase in Nursing and Allied Health Care Certified Professionals Project, Chemistry, Accounting, Physics, Information Technology, Theatre and Dance, Digital Learning Software, Administrative Allowance-Pell, Cashier's Office, RR Pecan Ann Richards Administration Building D Auditorium Upgrade, Learning Outcomes, Human Resources, Business Office, Research and Analytical Services, Academic Operations and Instruction, Dual Credit Pathways, and Purchasing.
<b>Enclosed Documents</b>	Appendix A – Vendors List Appendix B – District-Wide Technology Request Summary Other information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President -Technology and Chief Information Officer
<b>Recommendation</b>	The Committee recommends Board approval to purchase computers, laptops, and tablets from the vendors listed in Appendix A at a total amount of \$125,288.85.

### **APPENDIX A** **Vendors List**

Vendor (City, State)	Purchasing Cooperative	Amount
<b>Apple, Inc.</b> (Dallas, TX)	Choice Partners Cooperative	\$8,108.00
<b>Dell Marketing, LP</b> (Dallas, TX)	State of Texas Department of Information Resources (DIR), OMNIA Partners	\$117,180.85
Total Amount:		\$125,288.85

## **APPENDIX B**

### **District-Wide Technology Request Summary**

<b>Student Computers</b>			
17	Learning Commons and Open Labs		
16	Office of Enrollment Services		
11	Technology Projects		
1	Division of Nursing and Allied Health - <b>Increase in Nursing and Allied Health Care Certified Professionals Project Grant</b>		
<b>Student Laptops</b>			
10	Chemistry Program		
<b>Faculty Computers</b>			
1	Accounting Program		
<b>Faculty Laptops</b>			
3	Physics Program		
1	Information Technology Program		
<b>Faculty Tablets</b>			
1	Theatre and Dance Program		
<b>Staff Computers</b>			
1	Digital Learning Software Program		
4	Administrative Allowance - Pell Program		
1	Cashier's Office		
2	RR Pecan Ann Richards Administration Building D Auditorium Upgrade		
2	Learning Outcomes		
<b>Staff Laptops</b>			
2	Human Resources		
4	Digital Learning Software Program		
2	Business Office		
1	Research and Analytical Services		
1	Academic Operations and Instruction		
1	Physics Program		
1	Dual Credit Pathways Program		
2	Purchasing		
<b>Staff Tablets</b>			
2	Theatre and Dance Program		

### **Purchases – 7) Medical Equipment and Supplies**

**Purpose** Purchase medical equipment and supplies from **Medical Shipment, LLC** (Skokie, IL), The Interlocal Purchasing System (TIPS) approved vendor.

<b>Justification</b>	To provide the Division of Nursing and Allied Health with access to medical equipment and supplies essential for instruction to students. Medical supplies are indispensable for providing students with realistic, hands-on training experiences, ensuring they are fully prepared to navigate the rapidly evolving healthcare landscape, and contributing skilled professionals to the workforce.
<b>Funding</b>	Funds for this expenditure are budgeted in the Vocational Nursing, Associate Degree Nursing, Health Occupational Therapy, Patient Care Assistant, Respiratory Therapy, Medical Assistant Technology, Pharmacy Technology, and Emergency Medical Technician for FY 2024 – 2025.
<b>Enclosed Documents</b>	Other information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Anahid Petrosian, Vice President and Provost for Academic Affairs and Economic Development Margo A. Vargas-Ayala, Interim NAH Division Dean
<b>Recommendation</b>	The Committee recommends Board approval to purchase medical equipment and supplies from <b>Medical Shipment, LLC</b> (Skokie, IL), The Interlocal Purchasing System (TIPS) approved vendor for the period beginning September 1, 2024 through July 31, 2025, at an estimated total amount of \$140,000.00.

### **Purchases - 8) Network Phone Equipment Replacements**

<b>Purpose</b>	Purchase network phone equipment replacements from <b>Network Craze Technologies</b> (East Syracuse, NY) The Interlocal Purchasing System (TIPS) approved vendor.
<b>Justification</b>	To support the college's voice communication system and to replace existing devices that have reached the end of their life and are no longer supported by the manufacturer. The current phones lack compatibility with cloud-based platforms and no longer receive firmware updates or technical support, posing risks to system reliability, security, and functionality. The new VoIP phones will improve call management and enhance reliability for faculty, staff, and support services. This upgrade is essential to maintain secure, efficient, and scalable communication across the institution.
<b>Funding</b>	Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2024 – 2025.
<b>Enclosed Documents</b>	Other Information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President -Technology and Chief Information Officer.
<b>Recommendation</b>	The Committee recommends Board approval to purchase network phone equipment replacements from <b>Network Craze Technologies</b> (East Syracuse, NY) The Interlocal Purchasing System (TIPS) approved vendor, at an estimated total amount of <b>\$103,633.81</b> .

## **Purchases - 9) Network Router Equipment Replacements**

<b>Purpose</b>	Purchase network router equipment replacements from <b>Netsync Network Solutions</b> (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor.
<b>Justification</b>	To replace the end-of-life and out-of-support Pecan datacenter network router, which no longer receives firmware updates, security patches, or technical support, exposing the college's network to increased security risks, performance issues, and potential downtime. This upgrade is critical to ensure continued network reliability, enhance security, and support the college's growing need for bandwidth, especially for applications like e-learning, video conferencing, and cloud-based services. The new router will offer improved security, higher throughput, and future-proof capabilities, ensuring the network can scale to meet evolving technology demands.
<b>Funding</b>	Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2024 – 2025.
<b>Enclosed Documents</b>	Other Information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President -Technology and Chief Information Officer.
<b>Recommendation</b>	The Committee recommends Board approval to purchase network router equipment replacements from <b>Netsync Network Solutions</b> (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, at an estimated total amount of <b>\$69,457.97</b> .



### **Purchases - 10) Network Switch Equipment Replacements**

<b>Purpose</b>	Purchase network switch equipment replacements from <b>CXTEC</b> (Syracuse, NY) The Interlocal Purchasing System (TIPS) approved vendor.
<b>Justification</b>	To replace units that have reached the end of their life and are no longer supported by the manufacturer. The new switches are essential to improve network performance, reliability, and security across the campus. Upgrading this infrastructure will ensure consistent and efficient connectivity, directly benefiting students, faculty, and staff by supporting access to critical academic and administrative resources.
<b>Funding</b>	Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2024 – 2025.
<b>Enclosed Documents</b>	Other Information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President -Technology and Chief Information Officer.
<b>Recommendation</b>	The Committee recommends Board approval to purchase network switch equipment replacements from <b>CXTEC</b> (Syracuse, NY) The Interlocal Purchasing System (TIPS) approved vendor, at an estimated total amount of <b>\$100,200.00</b> .

### **Purchases - 11) Server Replacements**

<b>Purpose</b>	Purchase server replacements from <b>Dell Marketing, LP</b> (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor.
<b>Justification</b>	To replace hardware that has reached the end of its life and is no longer supported by the vendor. These servers are critical to supporting the STC Police Department's surveillance system by meeting the application and storage requirements for real-time video monitoring and long-term video archiving. Upgrading this infrastructure will ensure continued reliability, system performance, and data security for essential campus safety operations.
<b>Funding</b>	Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2024 – 2025.
<b>Enclosed Documents</b>	Other Information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President -Technology and Chief Information Officer.
<b>Recommendation</b>	The Committee recommends Board approval to purchase server replacements from <b>Dell Marketing, LP</b> (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, at an estimated total amount of <b>\$79,094.50</b> .

## **Purchases – 12) Software Training Service Agreement**

<b>Purpose</b>	Purchase a software training service agreement from <b>Optimum Consultancy Services, LLC</b> (Houston, TX), a Texas Department of Information Resources (DIR) approved vendor.
<b>Justification</b>	To provide software training services for the staff to become proficient in the various software programs that are used on a daily basis. The services will also include technical support as needed.
<b>Funding</b>	Funds for this expenditure are budgeted in the Library Automation and Information Technology Project Management, Risk and Security budget for FY 2024 – 2025. Funds for subsequent fiscal years will be included in future proposed budgets.
<b>Enclosed Documents</b>	Other information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President – Technology and Chief Information Officer Elizabeth Hollenbeck, Associate Dean of Library Services
<b>Recommendation</b>	The Committee recommends Board approval to purchase a software training service agreement from <b>Optimum Consultancy Services, LLC</b> (Houston, TX) for a period beginning July 1, 2025, through June 30, 2026, at an estimated total amount of \$90,538.65.

### **Renewals – 13) Collection Agency Services**

<b>Purpose</b>	Renew the collection agency services contracts with the vendors listed in Appendix A.
<b>Justification</b>	<p>To collect on delinquent accounts due to the College from the students, faculty, or staff. The delinquent accounts consist of unpaid emergency student loans, tuition and fees, accounts receivable, and traffic citations, among other unpaid accounts. The delinquent balances can derive from returned checks, reversal of financial aid awards, and/or failure of staff's adherence to waiver reimbursement guidelines. The collection agencies provide the college with the best collection and reporting techniques and services.</p> <p>As outlined in the agreement, fees associated with collections are assessed directly to the student, faculty, or staff.</p>
<b>Enclosed Documents</b>	<p>Appendix A – Vendors List</p> <p>Appendix B – Renewal Terms</p>
<b>Staff Resource</b>	<p>Mary Del Paz, Vice President for Finance and Administrative Services</p> <p>Myriam Lopez, Associate Vice-President - Finance and Management</p>
<b>Recommendation</b>	The Committee recommends Board approval to renew the collection agency services contracts with the vendors listed in Appendix A for the period beginning September 1, 2025 through August 31, 2026, at no cost to the College.

### **APPENDIX A** **Vendors List**

<b>Vendor (City, State)</b>	<b>Contract Percentages</b>
<b>S&amp;S Recovery, Inc.</b> (Memphis, TN)	<p>Will assess the following rates:</p> <ul style="list-style-type: none"> <li>• 20% for first placement</li> <li>• 20% for second placement</li> <li>• 23% for all subsequent referrals</li> <li>• 23% for litigation and judgment placements</li> </ul>

<b>Vendor (City, State)</b>	<b>Contract Percentages</b>
<b>Continental Service Group, LLC/ dba ConServe</b> (Fairport, NY)	Will assess the following rates: <ul style="list-style-type: none"> <li>• 18% for first placement</li> <li>• 18% for second placement</li> <li>• 18% for all subsequent referrals</li> <li>• 25% for litigation and judgment placements</li> </ul>
<b>Collection Bureau Hudson Valley (CBHV)</b> (Newburgh, NY)	Will assess the following rates: <ul style="list-style-type: none"> <li>• 16% for first placement</li> <li>• 24% for second placement</li> <li>• 28% for litigation</li> </ul>

## **APPENDIX B**

### **Renewal Terms**

Background – The Board awarded the contracts as follows:

<b>Term: August 22, 2023 – one year with two one-year annual renewals.</b>			
<b>Award</b>	<b>Board Meeting Date</b>	<b>Original Term</b>	<b>Renewal Term</b>
Original	8/22/2023	9/01/2023 – 8/31/2024	
First Renewal	6/25/2024		9/01/2024 – 8/31/2025
<b>Final Renewal</b>	6/24/2025		9/01/2025 – 8/31/2026

The vendor has complied with all the terms and conditions of the contract and services have been satisfactory.

## Renewals – 14) Grounds Maintenance

**Purpose** Renew the grounds maintenance contract with **TLC - Total Lawn Care Service LLC** (San Antonio, TX).

**Justification** To provide grounds maintenance for all South Texas College campuses as follows:

Services	Amount
Mowing, Tree Trimming, Grass Shredding, and Irrigation Inspections and Repair (Estimated Amount)	\$568,759.23
Plants, Replacement Plants, and Landscaping (Not Exceeding)	\$111,040.77
Sprinkler System Repairs (Not Exceeding)	\$77,250.00
Total Amount:	\$757,050.00

**Funding** Funds for this expenditure are budgeted in the Ground Maintenance budget for FY 2024 – 2025. Funds for subsequent fiscal years will be included in future proposed budgets.

**Enclosed Documents** Appendix A – Renewal Terms

**Staff Resource** Mary Del Paz, Vice President for Finance and Administrative Services  
George McCaleb, Executive Director of Facilities Operations and Maintenance

**Recommendation** The Committee recommends Board approval to renew the grounds maintenance contract with **TLC - Total Lawn Care Service LLC** (San Antonio, TX) for the period beginning November 1, 2025 through August 31, 2026, at an estimated total amount of \$757,050.00.

**APPENDIX A**  
**Renewal Terms**

The Board awarded the contract as follows:

<b>Term: October 29, 2024 - one year with two (2) one-year annual renewals</b>			
Award	Board Meeting Date	Original Term	Renewal Term
Original	10/29/2024	11/01/2024 – 08/31/2025	
<b>First Renewal</b>	06/24/2025		11/01/2025 – 08/31/2026

The vendor has complied with all the terms and conditions of the contract, and services have been satisfactory.

### **Purchase Renewals – 15) Online Digital Portfolio Application**

<b>Purpose</b>	Renew the online digital portfolio application with <b>MeshNet, Inc./ dba Suitable</b> (Ambler, PA), a sole-source vendor.
<b>Justification</b>	To manage, measure, and improve student engagement by identifying needs such as student access with the ability to update information after graduation to promote lifelong learning, an ability to showcase acquired skills to employers and support matriculation to advanced degrees at no additional fee to students, badging, a Comprehensive Learner Records (CLR) to highlight awarded credentials and experiential learning, ease of use, alignment to instructional needs, sustainability, and authentic assessment data collection.
<b>Funding</b>	Funds for this expenditure are budgeted in the Learning Outcomes Department budget for FY 2024 – 2025. Funds for subsequent fiscal years will be included in future proposed budgets.
<b>Enclosed Documents</b>	Other information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Anahid Petrosian, Vice President and Provost for Academic Affairs and Economic Development Dr. Brett Millan, Associate VP Academic Success & Advancement Yolonda Jaramillo, Director of Learning Outcomes
<b>Recommendation</b>	The Committee recommends Board approval to renew the online digital portfolio application with <b>MeshNet, Inc./ dba Suitable</b> (Ambler, PA), a sole-source vendor, for the period beginning August 1, 2025 through July 31, 2028, at a total amount of \$130,500.00, with annual payments of \$43,500.00.



## **Purchase Renewals – 16) Software, License, Maintenance, and Support Agreements**

<b>Purpose</b>	Renew the software license, maintenance, and support agreements with <b>Evisions, LLC</b> (Houston, TX), a sole-source vendor.
<b>Justification</b>	To provide maintenance and support to the existing software programs, Argos Enterprise and FormFusion Enterprise. Argos enables users to access and extract data from various institutional databases (like Banner, Ellucian, etc.) and present it in a variety of formats, including reports, dashboards, and visualizations. FormFusion transforms standard output from their ERP systems (like Ellucian Banner or Colleague) into professional, branded, and functional documents.
<b>Funding</b>	Funds for this expenditure are budgeted in the IT-Applications Development, Cashier's Office, Student Financial Services, and Admissions and Records budget for FY 2025 – 2026. Funds for subsequent fiscal years will be included in future proposed budgets.
<b>Enclosed Documents</b>	Other information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President – Technology and Chief Information Officer.
<b>Recommendation</b>	The Committee recommends Board approval to renew the software license, maintenance, and support agreements with <b>Evisions, LLC</b> (Houston, TX), a sole-source vendor, for a period beginning September 1, 2025 through August 31, 2028, at a total amount of \$135,970.00.

## **Purchase Renewals – 17) Web Application Firewall Software/Cloud Subscription**

<b>Purpose</b>	Renew the web application firewall software/cloud subscription with <b>Kudelski Security, Inc.</b> (Phoenix, AZ), a State of Texas Department of Information Resources (DIR) approved vendor.
<b>Justification</b>	To protect all of the College's public-facing applications and services from web application attacks that deny services. The firewall analyzes and inspects requests coming into the applications and stops attacks such as cross-site scripting (XSS), SQL injections, and cookie poisoning, among others.
<b>Funding</b>	Funds for this expenditure are budgeted in the Information Security budget for FY 2024 – 2025. Funds for subsequent fiscal years will be included in future proposed budgets.
<b>Enclosed Documents</b>	Other information is included in the Supporting Documentation.
<b>Staff Resource</b>	Dr. Jesús Campos, Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives Lucio Gonzalez, Associate Vice President – Technology and Chief Information Officer.
<b>Recommendation</b>	The Committee recommends Board approval to renew web application firewall software/cloud subscription with <b>Kudelski Security, Inc.</b> (Phoenix, AZ), a State of Texas Department of Information Resources (DIR) approved vendor for the period beginning July 7, 2025 through July 6, 2026, at a total amount of \$56,412.00.

Recommendation: It is requested that the Committee recommend for Board approval of the award of proposals, reject proposal, purchases, renewals, and purchase renewals at a total cost of \$2,088,145.78, as listed below:

- Award of Proposals**
- 1) **Campus Dining and Food Truck Services – Nursing and Allied Health Campus:** award the proposal for Campus Dining and Food Truck Services – Nursing and Allied Health Campus to **All Affairs and Occasions** (Weslaco, TX) for the period beginning July 25, 2025 through July 26, 2026, with two one-year options to renew, at no cost to the College;
  - 2) **Nursing and Allied Health Lab Equipment and Supplies:** award the proposal for Nursing and Allied Health lab equipment and supplies to the vendors listed in Appendix A for the period beginning August 1, 2025 through July 31, 2026, with two one-year options to renew, at an estimated total amount of \$200,000.00;

**APPENDIX A**

**Vendors List**

<b>Vendor (City, State)</b>	<b>Vendor (City, State)</b>
<b>Bound Tree Medical, LLC</b> (Dublin, OH)	<b>Henry Schein, Inc.</b> (Melville, NY)
<b>J&amp;B Medical Supply Company, Inc.</b> (Wixom, MI)	<b>McKesson Medical-Surgical Government Solutions, LLC</b> (Henrico, VA)
<b>Medical Shipment, LLC</b> (Skokie, IL)	<b>Performance Health Supply, LLC/ dba Medco Supply, Co.</b> (Warrenville, IL)
<b>Pocket Nurse Enterprises, LLC</b> (Monaca, PA )	

- 3) **Public Art Project – College Mascot Sculptures:** award the proposal for the public art project – college mascot sculptures to **Douglas Clark** (Edinburg, TX) (New);
- 4) **Security Cameras and Accessories:** award the proposal for security cameras and accessories to the vendors listed in Appendix A for the period beginning June 25, 2025 through June 24, 2026, with two one-year options to renew at an estimated total amount of \$100,000.00;

**APPENDIX A**

**Vendors List**

<b>Vendor (City, State)</b>	<b>Vendor (City, State)</b>
<b>DAC</b> (Houston, TX) (New)	<b>Digi Security Systems</b> (Dallas, TX)
<b>Halifax Security, Inc.</b> (Las Vegas, NV)	<b>Superior Alarms</b> (McAllen, TX)

**Reject Proposal**

- 5) **Pecan Campus Physical Plant Building E Cooling Tower Above Ground Piping System:** reject the one (1) proposal received for the

Pecan Campus physical plant building E cooling tower above ground piping system;

- Purchases**      **6) Computers, Laptops, and Tablets:** purchase computers, laptops, and tablets from the vendors listed in Appendix A at a total amount of \$125,288.85;

**APPENDIX A**

**Vendors List**

Vendor (City, State)	Purchasing Cooperative	Amount
<b>Apple, Inc.</b> (Dallas, TX)	Choice Partners Cooperative	\$8,108.00
<b>Dell Marketing, LP</b> (Dallas, TX)	State of Texas Department of Information Resources (DIR), OMNIA Partners	\$117,180.85
Total Amount:		\$125,288.85

- 7) Medical Equipment and Supplies:** purchase medical equipment and supplies from **Medical Shipment, LLC** (Skokie, IL), The Interlocal Purchasing System (TIPS) approved vendor for the period beginning September 1, 2024 through July 31, 2025, at an estimated total amount of \$140,000.00;
- 8) Network Phone Equipment Replacements:** purchase network phone equipment replacements from **Network Craze Technologies** (East Syracuse, NY) The Interlocal Purchasing System (TIPS) approved vendor, at an estimated total amount of \$103,633.81;
- 9) Network Router Equipment Replacements:** purchase of network router equipment replacements from **Netsync Network Solutions** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, at an estimated total amount of \$69,457.97;
- 10) Network Switch Equipment Replacements:** purchase network switch equipment replacements from **CXTEC** (Syracuse, NY) The Interlocal Purchasing System (TIPS) approved vendor, at an estimated total amount of \$100,200.00;
- 11) Server Replacements:** purchase server replacements from **Dell Marketing, LP** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, at an estimated total amount of \$79,094.50;
- 12) Software Training Service Agreement:** purchase a software training service agreement from **Optimum Consultancy Services, LLC** (Houston, TX) for a period beginning July 1, 2025, through June 30, 2026, at an estimated total amount of \$90,538.65;

- Renewals**      **13) Collection Agency Services:** renew the collection agency services contracts with the vendors listed in Appendix A for the period beginning September 1, 2025 through August 31, 2026, at no cost to the College;

**APPENDIX A**

### Vendors List

Vendor (City, State)	Contract Percentages
<b>S&amp;S Recovery, Inc.</b> (Memphis, TN)	Will assess the following rates: <ul style="list-style-type: none"> <li>• 20% for first placement</li> <li>• 20% for second placement</li> <li>• 23% for all subsequent referrals</li> <li>• 23% for litigation and judgment placements</li> </ul>
<b>Continental Service Group, LLC/ dba ConServe</b> (Fairport, NY)	Will assess the following rates: <ul style="list-style-type: none"> <li>• 18% for first placement</li> <li>• 18% for second placement</li> <li>• 18% for all subsequent referrals</li> <li>• 25% for litigation and judgment placements</li> </ul>
<b>Collection Bureau Hudson Valley (CBHV)</b> (Newburgh, NY)	Will assess the following rates: <ul style="list-style-type: none"> <li>• 16% for first placement</li> <li>• 24% for second placement</li> <li>• 28% for litigation</li> </ul>

- 14) **Grounds Maintenance:** renew the grounds maintenance contract with **TLC - Total Lawn Care Service LLC** (San Antonio, TX) for the period beginning November 1, 2025 through August 31, 2026, at an estimated total amount of \$757,050.00;

Services	Amount
Mowing, Tree Trimming, Grass Shredding, and Irrigation Inspections and Repair (Estimated Amount)	\$568,759.23
Plants, Replacement Plants, and Landscaping (Not Exceeding)	\$111,040.77
Sprinkler System Repairs (Not Exceeding)	\$77,250.00
Total Amount:	\$757,050.00

### Purchase Renewals

- 15) **Online Digital Portfolio Application:** renew the online digital portfolio application with **MeshNet, Inc./ dba Suitable** (Ambler, PA), a sole-source vendor, for the period beginning August 1, 2025 through July 31, 2028, at a total amount of \$130,500.00, with annual payments of \$43,500.00;
- 16) **Software, License, Maintenance, and Support Agreements:** renew the software license, maintenance, and support agreements with **Evisions, LLC** (Houston, TX), a sole-source vendor, for a period beginning September 1, 2025 through August 31, 2028, at a total amount of \$135,970.00;
- 17) **Web Application Firewall Software/Cloud Subscription:** renew web application firewall software/cloud subscription with **Kudelski Security, Inc.** (Phoenix, AZ), a State of Texas Department of Information Resources (DIR) approved vendor for the period

beginning July 7, 2025 through July 6, 2026, at a total amount of \$56,412.00.

**Consent Agenda:**

**b. Approval of Resolution #2025-013 Regarding the Donation to the Public of Items Produced by the Learning Commons & Open Labs Department**

**Purpose** Administration requests that the Committee recommend Board approval on Resolution #2025-013 regarding the limited donation of items produced by the Learning Commons and Open Labs Department to the public at no charge.

**Justification** In a written legal opinion from O'Hanlon, Demerath & Castillo, South Texas College, through its Board of Trustees, may provide services to the public limited access to printing services and items produced using makerspace technologies to the public at no cost. This should be done in conjunction with the adoption of a resolution that recites adherence to the South Texas College Policy CIB (Local) – Equipment and Supplies Management: Disposal of Property, specifically to the three-part test regarding the use of public funds. The three-part test requires the Board of Trustees to determine that the conveyance is not a gift of public funds by considering the following:

- a. The predominant purpose of the alternative method of disposal is to accomplish a public purpose, not to benefit private parties;
- b. The Board shall retain sufficient control over the disposed items to ensure the public purpose is accomplished and to protect the public's investment; and
- c. The College District shall receive a return benefit.

The resolution has been reviewed by the President, the Interim Vice President for Information Services, Planning, Performance, & Strategic Initiatives, Mary Del Paz, Vice President for Finance and Administrative Services, and Mr. Mark Goulet, from O'Hanlon, Demerath & Castillo Law Firm.

**Enclosed Documents** Appendix A – Resolution #2025-013

**Staff Resource** Dr. Jesús Campos, Interim Vice President of Information Services, Planning, Performance, & Strategic Initiatives and Dean of Library & Learning Support Services  
Mr. Arturo Solano, Director of Learning Commons & Open Labs

**Recommendation** The Committee recommended Board approval on Resolution #2025-013 regarding the donation to the public of items produced by the Learning Commons & Open Labs Department as presented.

**BOARD OF TRUSTEES FOR SOUTH TEXAS COLLEGE  
RESOLUTION #2025-013 REGARDING THE DONATION TO THE PUBLIC  
OF ITEMS PRODUCED BY THE LEARNING COMMONS & OPEN LABS  
DEPARTMENT**

**THE STATE OF TEXAS                    )**  
**)**  
**COUNTY OF HIDALGO                 )**

On this, the 24th day of June 2025, the Board of Trustees of South Texas College convened at a lawfully called and posted meeting, and with sufficient members present to constitute a quorum, and the Board of Trustees resolved as follows:

**WHEREAS**, the Board of Trustees recognizes the importance of providing students, faculty, and staff with excellent technology support including computer labs, printing, and makerspace technologies;

**WHEREAS**, the Board of Trustees of South Texas College recognizes the importance of engaging with the local community; and

**WHEREAS**, providing members of the community who have become Community Users with limited access to printing services and items produced using makerspace technologies enables meaningful engagement with the College; and

**WHEREAS**, providing limited access to printing services and items produced using makerspace technologies to the public at no cost will serve as an opportunity for members of the public to become familiar with the College's programs of study; and

**WHEREAS**, providing limited access to printing services and items produced using makerspace technologies to the public at no cost will serve as an opportunity for members of the public to develop basic workforce skills; and

**WHEREAS**, the Board of Trustees desires to ensure that funds allocated for providing limited access to printing services and items produced using makerspace technologies to the public at no cost are used for a clearly defined public purpose; and

**WHEREAS**, the public will benefit from services; and

**WHEREAS**, the Board of Trustees of South Texas College desires to authorize the expenditure of funds from the unrestricted fund balance to support its educational mission; and

***NOW, THEREFORE, BE IT RESOLVED*** that the Board of Trustees of South Texas College hereby authorizes and approves the offering of limited access to printing services and items



produced using makerspace technologies, in accordance with Tex. Const, art. III, § 51 and 52(a), prohibition on gifts of public funds and South Texas College Policy CIB (Local) - Equipment and Supplies Management: Disposal of Property and the College's administrative procedures maintained by the Division of Academic Affairs and Economic Development, and subject to the following conditions:

1. The Board finds an instructional and public purpose in the providing limited access to printing services and items produced using makerspace technologies. The public purpose of such programs may include:
  - a. Publicity for South Texas College programs of study;
  - b. Cultivating a skilled workforce within the community;
  - c. Encouraging economic development and growth;
  - d. Building goodwill in the community by providing needed services at no cost.
  - e. Avoiding the administrative burden of having to price services, handle receipts, collect sales tax, etc.
2. The Board of Trustees authorizes staff to implement administrative procedures to offer limited access to printing services and items produced using makerspace technologies.
3. The Board of Trustees shall require that the respective staff oversee the offering of limited access to printing services and items produced using makerspace technologies, including public feedback. This shall maintain sufficient control of the services provided to the public.
4. The Board of Trustees shall require that these services offered to the community through the Learning Commons & Open Labs Department be evaluated periodically, with the opportunity for adjustment as needed, to ensure that it continues to meet the goals of both student education and public purpose.
5. Providing limited access to printing services and items produced using makerspace technologies to the public at no cost will further enhance the College's reputation and standing within the community. The initiatives are also calculated to foster stronger community ties and reinforce STC's role as a pivotal institution in the region, thereby yielding long-term benefits that extend beyond the immediate financial investment.
6. The Board finds that the College shall retain sufficient control over the public funds to be expended for this purpose to ensure the public purposes are accomplished and further finds adequate controls are in place to ensure that South Texas College receives benefits related to this expenditure.
7. The Board hereby authorizes administration to implement the necessary administrative procedures to carry out the services as presented.
8. This resolution shall take effect immediately upon its adoption and shall remain in effect until modified, amended or rescinded by the Board of Trustees.

Members of the Board voted, PASSED, APPROVED AND ADOPTED this the \_\_\_\_\_ day of June 2025.

South Texas College

By: \_\_\_\_\_  
Dr. Alejo Salinas, Jr.  
Chair

Board of Trustees

ATTEST:

By: \_\_\_\_\_  
Danny Guzman  
Secretary  
Board of Trustees

**Consent Agenda:**

**c. Approval to Adopt New Local Governance Policy and Retire Current Policies**

**Purpose**

To adopt the new Local Governance Policy and retire the current policies to align with the Texas Association of School Boards (TASB) policy manual.

**Justification**

To provide the new policy in the TASB standardized format. In addition to the policies and, as applicable, internal procedures are currently in place and will continue to be enhanced.

The new and retired policies have been reviewed by staff, administrators, TASB staff, STC Legal Counsel, and the Chief of Staff.

**Enclosed Documents**

Appendix A – List of New and Retired Policies  
Appendix B – New Policy

**Staff Resource**

Gardenia G. Perez, Chief of Staff

**Recommendation**

The Committee recommends Board approval to adopt the new Local Governance Policy and retire the current policies as presented, and which supersedes any previously adopted Board policy.

**Appendix A**

List of New and Retired Policies

<b>Adopt New Policy</b>	<b>Retired Policy(ies)</b>	<b>Retired Policy Content Transition</b>
A-1. BFE (LOCAL) – Chief Executive Officer: Evaluation	A-2. Policy 2120: Goals for the President A-3. Policy 2140: Evaluation of the President	All of the content from the retired policy is included in the new local policy.

**Appendix B**

New policies follow in the packet

**Written Evaluation**

The Board shall prepare a written evaluation of the College President on annual basis. The written evaluation instrument shall be based on the job description of the College President and performance goals and shall be adopted by the Board.

The Board Chair shall furnish the College President with a copy of the completed evaluation and shall discuss the evaluation with the College President.

**Objectives**

The Board shall strive to accomplish the following objectives in completing the evaluation of the College President:

1. Clarify the College President's role, as seen by the Board.
2. Develop and sustain a harmonious working relationship between the Board and the College President.
3. Ensure excellence in the College District's administrative leadership by establishing appropriate performance objectives and priorities for the College President.

**Informal Evaluation**

The Board may at any time conduct and communicate oral evaluations to augment its written evaluations.

## MANUAL OF POLICY

<b>Title</b>	<b>Goals for the President</b>	<b>2120</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	
<b>Date Approved by Board</b>	<b>Board Minute Order dated November 9, 1995</b>	

Goals are mutually agreed upon between the Board and the President, and the President is charged with developing an action plan for implementation of the goals.

RETIRED

## MANUAL OF POLICY

<b>Title</b>	<b>Evaluation of the President</b>	<b>2140</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	
<b>Date Approved by Board</b>	<b>Board Minute Order dated November 9, 1995</b>	

Annually, the Board meets in executive session to conduct a performance evaluation of the President. In reviewing the accomplishments, the Board provides feedback to the President on observed strengths and any areas needing improvement for the upcoming academic year.

RETIRED

**Consent Agenda:**

**d. Approval to Adopt the Numbered Update 49 Local Policy and Retire Local Policy**

**Purpose** To adopt and retire the local policies listed in Appendix A to align with the Texas Association of School Boards (TASB) policy manual.

**Justification** TASB issues numbered updates semiannually to the College. The number updates respond to changes to state and federal law, court cases, and decisions by the attorney general, and may also contain suggested changes to an existing local policy or the development of a new local policy made by TASB.

The policies have been reviewed by staff, administrators, TASB staff, STC Legal Counsel, and the Vice President for Finance and Administrative Services.

**Enclosed Documents** Appendix A – List of Policies

**Staff Resource** Mary Del Paz, Vice President for Finance and Administrative Services  
Ruben Suarez, Chief of Police

**Recommendation** The Committee recommended Board approval to adopt the numbered update local policy and retire the local policy listed in Appendix A as presented, and which supersedes any previously adopted Board policy.

**Appendix A**

Item	Policy	Update	Explanatory Notes
A.	Adopt CGF (Local) – Safety Program: Security Personnel	49	Language from CHA has been moved to this new local policy to accommodate the reorganization of policies related to security personnel. Language has been added addressing an Interlocal Agreement for Mutual Aid and Body-Worn Cameras. Revisions also incorporate recently adopted edits submitted by the college. Additional changes have been made for clarity.
B.	Retire CHA (Local) – Site Management: Inspections	49	Language at this policy has been moved to policy CGF to accommodate the reorganization of policies related to security personnel.

**Appendix B**

Policies follow in the packet.

SAFETY PROGRAM  
SECURITY PERSONNEL

CGF  
(LOCAL)

**College District  
Police Department**

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a College District police department and shall employ and commission peace officers.

**Jurisdiction**

The jurisdiction of College District peace officers shall include all counties in which property is owned, leased, rented, or otherwise under the control of the College District.

**Police Authority**

While within the jurisdiction set out in this policy, peace officers employed and commissioned by the College District shall have all the powers, privileges, and immunities of peace officers. Subject to limitations in law, College District peace officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the College District and protect the property of the College District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, College District police officers may serve search warrants in connection with College District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce College District policies, rules, and regulations on College District property or at College District functions.
6. Investigate violations of College District policies, rules, and regulations as requested by the College President or designee and participate in hearings concerning alleged violations.
7. Carry weapons as directed by the chief of police and approved by the College President.
8. Carry out all other duties as directed by the chief of police or College President.



SAFETY PROGRAM  
SECURITY PERSONNEL

CGF  
(LOCAL)

**Employment of  
Peace Officers and  
Telecommunicators**

For additional provisions regarding the employment of peace officers and telecommunicators, see DC.

**Limitations on  
Outside Employment**

No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and College President or designee. The Office of Human Resources will be notified through completion of the Outside Employment Notification Form. College District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws, within another law enforcement agency's jurisdiction while working off duty or temporarily assigned to the other agency.

**Relationship with  
Outside Agencies**

The College District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into memoranda of understanding and other appropriate interlocal agreements that outline reasonable communication and coordination efforts among the department and the agencies. The chief of police and the College President or designee shall review the memoranda of understanding at least once every year. The memoranda of understanding shall be approved by the Board.

Interlocal  
Agreement for  
Mutual Aid

While operating pursuant to an interlocal agreement for mutual aid or other support for another law enforcement agency, each College District police officer shall perform the duties and have the authorities set out in the agreement, including enforcing all laws within the other agency's jurisdiction.

**Use of Force**

The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.

By Drone

The College District shall not use force by means of a drone.

**High-Speed Pursuit**

Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.

**Video Monitoring**

Video equipment shall be used on a College District police car for safety purposes whenever the flashing lights on a car are in use.

Access to  
Recordings

Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law.

**Body-Worn Cameras**

A College District police officer shall use a body-worn camera only when performing official law enforcement duties for the College

SAFETY PROGRAM  
SECURITY PERSONNEL

CGF  
(LOCAL)

District and in accordance with the provisions of the College District police department's body-worn camera program. Each College District police officer shall receive training on the program, including proper use and operation of cameras. Any College District employee who has access to data from body-worn cameras shall receive training on storage, retention, and release of recordings.

**Officer Training**

All College District officers shall receive at least the minimum amount of education and training required by law.

**Medical and  
Psychological  
Examinations**

For provisions regarding the fitness-for-duty examination of a peace officer or telecommunicator, see DBB.

**Leave**

For provisions regarding mental health leave for peace officers and telecommunicators and quarantine leave for peace officers, see DEC.

**Complaints**

Complaints against a College District police officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide to the police officer a copy of the complaint. [See Complaint Against Peace Officer at CGFA(LEGAL)]

Appeals regarding this complaint process shall be filed in accordance with DGBA, FLD, or GB, as appropriate.

**Misconduct  
Investigations**

For provisions regarding the investigation of allegations of misconduct by peace officers and telecommunicators, see DH.

**Personnel Files**

For provisions regarding personnel files maintained with respect to peace officers and telecommunicators, see DBA.

**Department  
Regulations Manual**

To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the College President or designee shall review the manual annually and make any appropriate revisions.

**Racial Profiling**

The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Peace officers employed by the College District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.

**Campus Security  
Guards Employed by  
the College District**

The College District has a College District security department and employs security guards to provide security services on any property that is owned, leased, rented or otherwise under the control of the College District. These security guards are non-commissioned and are prohibited from the following:

SAFETY PROGRAM  
SECURITY PERSONNEL

CGF  
(LOCAL)

1. Carrying any firearm or weapon on any College District campus or grounds;
2. Making arrests;
3. Enforcing law or municipal ordinances;
4. Conducting investigations of violations of law;
5. Using use of force, including deadly force;
6. Participating in high-speed pursuits; and
7. Video monitoring by a body camera or by their security vehicles.

There are no limitations on outside employment for campus security guards, and campus security guards are not required to follow state law regarding racial profiling. These campus security guards follow the same leave request, complaints process, misconduct investigations, and personnel file requirements as all civilian College District employees.

Campus security guards are employed by the College District to do the following:

1. Prevent and deter entry, larceny, vandalism, abuse, trespass, or criminal or unauthorized activity on the College District's leased or owned property;
2. Issue administrative citations and warnings for parking violations on College District-leased or College District-owned property; and
3. Control, regulate, and direct the movement of pedestrian and vehicular traffic on College District-owned or College District-leased property.

All College District security guards shall receive training when hired.

To carry out the provisions in this policy, the security department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of security services.

**Off-Duty  
Commissioned  
Peace Officers  
Contracted by the  
College District**

The College District may contract with individual off-duty commissioned peace officers for the provisions of security services on any property that is owned, leased, rented, or otherwise under the control of the College District. Off-duty, commissioned peace officers who are contracted to serve as security personnel may wear the uniform of the political subdivision or state agency employing them

and may carry their weapon on the College District campus and grounds. They are contracted by the College to:

1. Prevent and deter entry, larceny, vandalism, abuse, trespass, or criminal or unauthorized activity on the College District's leased or owned property; and
2. Control, regulate, and direct the movement of pedestrian and vehicular traffic on College District-owned or College District-leased property.

The College District engages contracted off-duty commissioned peace officers by partnering with a local law enforcement agency to determine if they can provide additional officers to assist as needed. These officers are governed by their respective law enforcement agencies and operate under the policies and procedures of their respective agencies using concurrent jurisdiction.

**College District  
Police Department**

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a College District police department and shall employ and commission peace officers.

**Jurisdiction**

The jurisdiction of College District peace officers shall include all counties in which property is owned, leased, rented, or otherwise under the control of the College District.

**Police Authority**

While within the jurisdiction set out in this policy, peace officers employed and commissioned by the College District shall have all the powers, privileges, and immunities of peace officers. Subject to limitations in law, College District peace officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the College District and protect the property of the College District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, College District police officers may serve search warrants in connection with College District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce College District policies, rules, and regulations on College District property or at College District functions.
6. Investigate violations of College District policies, rules, and regulations as requested by the College President or designee and participate in hearings concerning alleged violations.
7. Carry weapons as directed by the chief of police and approved by the College President.
8. Carry out all other duties as directed by the chief of police or College President.

SITE MANAGEMENT  
SECURITY

CHA  
(LOCAL)

Temporary Assignment	College District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.
<b>Employment of Peace Officers and Telecommunicators</b>	For additional provisions regarding the employment of peace officers and telecommunicators, see DC.
<b>Limitations on Outside Employment</b>	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and the College President or designee. The Office of Human Resources will be notified through completion of the Outside Employment Notification Form.
<b>Relationship with Outside Agencies</b>	The College District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The chief of police and the College President or designee shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.
<b>Use of Force</b>	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
By Drone	The College District shall not use force by means of a drone.
<b>High-Speed Pursuit</b>	Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
<b>Video Monitoring</b>	Video equipment shall be used on a College District police car for safety purposes whenever the flashing lights on a car are in use.
Access to Recordings	Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law.
<b>Officer Training</b>	All College District officers shall receive at least the minimum amount of education and training required by law.
<b>Medical and Psychological Examinations</b>	For provisions regarding the fitness-for-duty examination of a peace officer or telecommunicator, see DBB.

<b>Leave</b>	For provisions regarding mental health leave for peace officers and telecommunicators and quarantine leave for peace officers, see DEC.
<b>Complaints</b>	<p>Complaints against a College District police officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide to the police officer a copy of the complaint. [See Complaint Against Peace Officer at CHA(LEGAL)]</p> <p>Appeals regarding this complaint process shall be filed in accordance with DGBA, FLD, or GB, as appropriate.</p>
<b>Misconduct Investigations</b>	For provisions regarding the investigation of allegations of misconduct by peace officers and telecommunicators, see DH.
<b>Personnel Files</b>	For provisions regarding personnel files maintained with respect to peace officers and telecommunicators, see DBA.
<b>Department Regulations Manual</b>	To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the College President or designee shall review the manual annually and make any appropriate revisions.
<b>Racial Profiling</b>	The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Peace officers employed by the College District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
<b>Campus Security Guards Employed by the College District</b>	<p>The College District has a College District security department and employs security guards to provide security services on any property that is owned, leased, rented or otherwise under the control of the College District. These security guards are non-commissioned and are prohibited from the following:</p> <ol style="list-style-type: none"><li>1. Carrying any firearm or weapon on any College District campus or grounds;</li><li>2. Making arrests;</li><li>3. Enforcing law or municipal ordinances;</li><li>4. Conducting investigations of violations of law;</li><li>5. Using use of force, including deadly force;</li><li>6. Participating in high-speed pursuits</li></ol>

7. Video monitoring by a body camera or by their security vehicles,

There are no limitations on outside employment for campus security guards, and campus security guards are not required to follow state law regarding racial profiling. These campus security guards follow the same leave request, complaints process, misconduct investigations and personnel file requirements as all civilian College District employees.

Campus security guards are employed by the College District to do the following:

1. Prevent and deter entry, larceny, vandalism, abuse of, trespass on, or criminal or unauthorized activity on the College District's leased or owned property;
2. Issue administrative citations and warnings for parking violations on College District-leased or College District-owned property; and
3. Control, regulate, and direct the movement of pedestrian and vehicular traffic on College District-owned or College District-leased property.

All College District security guards shall receive training when hired.

To carry out the provisions in this policy, the security department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of security services.

**Off-Duty  
Commissioned  
Peace Officers  
Contracted by the  
College District**

The College District may contract with individual off-duty commissioned peace officers for the provisions of security services on any property that is owned, leased, rented or otherwise under the control of the College District. Off-duty, commissioned peace officers who are contracted to serve as security personnel may wear the uniform of the political subdivision or state agency employing them and may carry their weapon on the College District campus and grounds. They are contracted by the College to:

1. Prevent and deter entry, larceny, vandalism, abuse of, trespass on, or criminal or unauthorized activity on the College District's leased or owned property;
2. Control, regulate, and direct the movement of pedestrian and vehicular traffic on College District-owned or College District-leased property.



The College District engages contracted off-duty commissioned peace officers by partnering with a local law enforcement agency to determine if they can provide additional officers to assist as needed. These officers are governed by their respective law enforcement agency and operate under the policies and procedures of their respective agencies using concurrent jurisdiction.

RETIRED

## **Discussion and Action as Necessary on Proposed FY 2025 – 2026 Request for New Positions and Other Adjustments**

<b>Purpose</b>	To approve the proposed FY 2025 – 2026 request for new positions and other adjustments, which will not require additional funding and therefore will not impact the budget.
<b>Justification</b>	<p>The staffing requests have been reviewed and are being proposed by Administration. The Texas Association of School Boards (TASB) has also reviewed the requests as part of the annual compensation maintenance program. Projected salaries are based on FY 2024 - 2025 pay grade scales with no annual increases. Salaries are subject to change if the Board approves new FY 2025 - 2026 pay grade scales with an annual salary increase.</p> <p>Additional modifications, including reductions, may be necessary prior to final approval by the Board due to revised revenue and expenditure projections or reallocation of resources, as necessary.</p> <p>These requests include new non-faculty positions, selected previously frozen positions, salary adjustments for vacant positions, reclassification of existing non-faculty positions, pool adjustments, title changes, and cost center/program changes by Division.</p>
<b>Enclosed Documents</b>	<p>Appendix A – Summary of Proposed New Positions and Other Adjustments (Unrestricted Fund)</p> <p>Appendix B – Academic Affairs &amp; Economic Development Division</p> <p>Appendix C – Finance and Administrative Services Division</p> <p>Appendix D – Information Services, Planning, Performance and Strategic Initiatives Division</p> <p>Appendix E – Student Affairs and Enrollment Management Division</p> <p>Appendix F – All Divisions – Title Changes</p> <p>Appendix G – All Divisions – Cost Center/Program Changes</p>
<b>Funding</b>	No funds are required.
<b>Staff Resource</b>	<p>Dr. Ricardo Solis, President</p> <p>Mary Del Paz, Vice President for Finance and Administrative Services</p>
<b>Recommendation</b>	The Committee recommends that the Board approve the proposed FY 2025–2026 request for new positions and other adjustments as presented, which will not require additional funding and therefore will not impact the budget.

**Appendix A**

**Summary of Proposed College's New Positions and Other Adjustments  
(Unrestricted Fund)**

<b>Division</b>	<b>Amount Requested</b>	<b>Less Funding Available</b>	<b>Impact on FY 25 – 26 Budget</b>
B. Academic Affairs and Economic Development (11)	\$416,837	(\$416,837)	\$0
C. Finance and Administrative Services (6)	249,566	(249,566)	0
D. Information Services, Planning, Performance and Strategic Initiatives (14)	495,862	(495,862)	0
E. Student Affairs and Enrollment Management (5)	123,238	(123,238)	0
F. All Divisions - Title Changes (34)	0	0	0
G. All Divisions - Cost Center/Program Changes (41)	0	0	0
<b>Total</b>	<b>\$1,285,503</b>	<b>(\$1,285,503)</b>	<b>\$0</b>

#	Cost Center/Program Name	Title   Position #	Current Classification & Pay Grade	Proposed Classification & Pay Grade	Current Budget	Adjustment Amount	New Amount	Less Funding Availability	Impact to Budget	Funding Source	Rationale
New Positions (1)											
1	Developing Hispanic Serving (DHSI)	Administrator - Academic Support Programs	Executive Administrative Professional 7	(same)	\$ -	\$ 47,394	\$ 47,394	\$ (47,394)	\$ -	DW Staff - AA 841274	•Currently, the position is being funded 50% through grant funds and 50% through unrestricted funds. The department is requesting to re-institutionalize this grant position (Starfish Administrator-current position title), to be funded 100% by unrestricted funds. This administrator leads the development, implementation, and management of the ongoing operations of the Starfish Early Alert System to drive student success through engagement and measurement with direction from College-wide leadership and teams.
Vacant Positions - Request for Salary Adjustment (1)											
2	Operational Management	Operations Management Faculty P003104	Faculty	Faculty	\$ 1	\$ 54,999	\$ 55,000	\$ (54,999)	\$ -	Math Instructor P003148	•Due to the division's assessment, the faculty position is needed to assist with course offerings and to help meet the student demands of the program.
Reclassifications of Existing Positions with Salary Adjustments (5)											
3	Academic Persistence Programs	Guided Pathways Specialist P001924	Executive Administrative Profesional 2	(same)	\$ -	\$ 49,788	\$ 49,788	\$ (49,788)	\$ -	NAH Non-Faculty Pool 842279	•Currently a full-time temp position. This position primarily serves students who have declared an undecided major, offering essential guidance in exploring career pathways and making informed academic choices to ensure effective growth throughout their educational journey. In addition, this position will provide targeted support for special populations of students who require specialized attention to enhance their persistence and success.
4	Division of Nursing & Allied Health	Guided Pathways Specialist P001769	Executive Administrative Profesional 2	(same)	\$ -	\$ 48,811	\$ 48,811	\$ (48,811)	\$ -	NAH Non-Faculty Pool 842279	•Currently a full-time temp position. This position primarily serves students who have declared a major, offering essential guidance in exploring career pathways and making informed academic choices to ensure effective growth throughout their educational journey. In addition, this position will provide targeted support for special populations of students who require specialized attention to enhance their persistence and success.
5	Clinical Stimulation	Healthcare Simulation Specialist P001621	Administrative Technical Support 5	(same)	\$ -	\$ 49,963	\$ 49,963	\$ (49,963)	\$ -	NAH Non-Faculty Pool 842279	•Currently a full-time temp position. This position will manage the implementation of simulation technologies and foster inter-program collaboration to enhance students' experiential learning.
6	Division of Nursing & Allied Health	Clinical Affairs Specialist P002016	Administrative Technical Support 4	(same)	\$ -	\$ 40,956	\$ 40,956	\$ (40,956)	\$ -	NAH Non-Faculty Pool 842279	•Currently a full-time temp position. This position will oversee student clinical compliance processes and coordinate with clinical partners to facilitate placement across all Health Science Professions Programs.
7	Division of Nursing & Allied Health	Advisor P000220	Executive Administrative Profesional 2	(same)	\$ -	\$ 49,798	\$ 49,798	\$ (49,798)	\$ -	NAH Non-Faculty Pool 842279 ----- DW Staff - Jag SE Acad Affairs 842275	•Currently a full-time temporary position that serves students who have declared a major, offering essential guidance and assistance in making informed academic choices to ensure effective growth through their educational journey. Additionally, this position will provide targeted support for students from special populations who require specialized attention to enhance their persistence and success.
Pool Adjustments to Instructional Direct Wage Pools, Non-Faculty Temp Pools, and Trainer Pools (4)											
8	Vocational Nursing	DW Staff - Vocational Nursing Pool 840557   PG00087	Pool	N/A	\$ 20,000	\$ 2,000	\$ 22,000	\$ (2,000)	\$ -	DW Staff - AA 841274	•Increase direct wage pool due to support and assist the department.
9	Division of Nursing & Allied Health	DW - NAH Division Pool 849557   CC00019	Pool	N/A	\$ 9,372	\$ 5,628	\$ 15,000	\$ (5,628)	\$ -	DW Staff - AA 841274	•Increase direct wage pool due to support and assist the division office.
10	Kinesiology	DW Staff - Kinesiology Pool 840130   PG00070	Pool	N/A	\$ 60,568	\$ 60,000	\$ 120,568	\$ (60,000)	\$ -	DW Staff - AA 841274	•Increase direct wage pool to support the wellness centers at Starr County Campus and Nursing & Allied Health Campus.

South Texas College

Unrestricted Fund - No impact on Budget

FY 2025 - 2026

B. Academic Affairs and Economic Development (AAED) Division

#	Cost Center/Program Name	Title   Position #	Current Classification & Pay Grade	Proposed Classification & Pay Grade	Current Budget	Adjustment Amount	New Amount	Less Funding Availability	Impact to Budget	Funding Source	Rationale
11	Law Enforcement	DW - Law Enforcement Pool 840595   PG00032	Pool	N/A	\$ 7,500	\$ 7,500	\$ 15,000	\$ (7,500)	\$ -	DW Staff - AA 841274	•Increase direct wage pool to support the Law Enforcement and Fire Science programs to hire direct wage lab assistants for critical training sessions, such as live fire exercises conducted throughout the 16-week academy.
Total for Vice President for Academic Affairs and Economic Development					\$ 97,441	\$ 416,837	\$ 514,278	\$ (416,837)	\$ -		

Total for Academic Affairs and Economic Development (AAED) Division	\$ 416,837
Less Funding from Savings of Existing Vacant Positions or Pools	(416,837)
Net Salary Budget Increase	\$ -

\*Projected salaries are based on FY 2024 - 2025 pay grade scales with no annual increases. Salaries are subject to change if the Board approves new FY 2025 - 2026 pay grade scales with an annual salary increase.

\*Budget reductions to salary pools are permanent and the salary pool will not be re-funded. Budget reductions to vacant positions will result in the vacant position being deleted and the vacant position will not be re-funded.

#	Cost Center/Program Name	Title   Position #	Current Classification & Pay Grade	Proposed Classification & Pay Grade	Current Budget	Adjustment Amount	New Amount	Less Funding Availability	Impact to Budget	Funding Source	Rationale
New Positions (2)											
1	Custodial	Assistant - Event Logistics	N/A	Operations Support 2	\$ -	\$ 36,567	\$ 36,567	\$ (36,567)	\$ -	Custodial Supervisor P001639 ----- Custodian P002877 ----- Custodian P000464	•This role will assist the Logistics Supervisor in tackling the many logistical tasks that come with event planning, such as transportation, scheduling, and overseeing on-site, off-campus, and district-wide setups. This role would ensure that materials are delivered on time, manage last-minute changes efficiently, and provide real-time support during the event to troubleshoot any issues. With over 100 monthly on-site events and various off-campus and district-wide events, this support can help reduce stress on the custodial team, ensure timelines are met, and contribute to an overall smooth and successful event. In addition, the new College Facility Use Procedures will open the doors for even more events with external organizations hosting events on STC campuses districtwide. Ultimately, this role would improve client satisfaction and enhance the college's reputation.
2	Safety & Security	Director of Parking, Security, and Transportation Services	N/A	Executive Administrative Professional 9	\$ -	\$ 88,233	\$ 88,233	\$ (88,233)	\$ -	Security Guard Specialists P002213 and P001622	•To support the creation of this new position, two existing Security Guard Specialist roles will be phased out. This decision reflects the evolving needs of the department and a strategic realignment of resources. The responsibilities previously held by the specialist positions are no longer aligned with the department's current operational demands. The new position is crucial for effectively managing and coordinating the increasingly complex functions of parking, security operations, and transportation services. This position will also be responsible for managing budgets associated with these operational areas, as well as ensuring compliance with Department of Transportation (DOT) and Federal Transit Administration (FTA) regulations. In addition, this position will be overseeing the JAG Express shuttle bus operations and Lower Rio Grande Valley Development Council (LRGVDC) MOU. Overall, this role is critical to maintaining efficiency, safety, and regulatory adherence across these essential service areas.
Vacant Positions - Request for Salary Adjustment (1)											
3	Business Office	Assistant Comptroller to Director - Budget and Fiscal Payroll P002962	Executive Administrative Professional 7	Executive Administrative Professional 9	\$ 86,883	\$ 13,272	\$ 100,155	\$ (13,272)	\$ -	DW Staff - Business Office 840185	• To expand the duties and responsibilities associated with the preparation of the annual budget, including thorough analysis and reporting of all expenditures, such as salaries and benefits, and revenues, and to consolidate and streamline the oversight functions of budget development and fiscal payroll preparation.
Reclassifications of Existing Positions with Salary Adjustments (2)											
4	Facility Maintenance	Warehouse Assistant to Warehouse Technician P002148	Operations Support 3	Operations Support 4	\$ 35,714	\$ 3,016	\$ 38,730	\$ (3,016)	\$ -	Project Manager - FOM P003189	•The Warehouse Assistant's duties have expanded to include the same duties as the Warehouse Technician. Title change is needed to accurately reflect the functions being performed. A salary adjustment is needed.
5	Facility Maintenance	Secretary to Work Order Specialist P000646	Administrative Technical Support 1	Operations Support 5	\$ 35,880	\$ 4,888	\$ 40,768	\$ (4,888)	\$ -	Project Manager - FOM P003189	•The Secretary's duties have changed to include managing work orders, dispatching work orders to appropriate technicians based on their skills and availability, coordinating with Supervisors/Technicians to schedule maintenance tasks within appropriate timeframes, generating reports on work order volume, completion rates and maintenance trends.
Pool Adjustments to Instructional Direct Wage Pools, Non-Faculty Temp Pools, and Trainer Pools (1)											
6	Safety & Security	Overtime Pool 777514   CC00041	Pool	N/A	\$ 1,000	\$ 103,590	\$ 104,590	\$ (103,590)	\$ -	Parking Permit fees	•Increase in overtime pool required to cover rising operating costs such as increases in security staff. Board approved increase in parking permit prices for FY 25-26 on 3/25/25.
Total for Vice President for Finance and Administrative Services					\$ 159,477	\$ 249,566	\$ 409,043	\$ (249,566)	\$ -		

Total for Finance and Administrative Services (FAS) Division	\$ 249,566
Less Funding from Savings of Existing Vacant Positions or Pools	(249,566)
Net Salary Budget Increase	\$ -

\*Projected salaries are based on FY 2024 - 2025 pay grade scales with no annual increases. Salaries are subject to change if the Board approves new FY 2025 - 2026 pay grade scales with an annual salary increase.

\*Budget reductions to salary pools are permanent and the salary pool will not be re-funded. Budget reductions to vacant positions will result in the vacant position being deleted and the vacant position will not be re-funded.

#	Cost Center/Program Name	Title   Position #	Current Classification & Pay Grade	Proposed Classification & Pay Grade	Current Budget	Adjustment Amount	New Amount	Less Funding Availability	Impact to Budget	Funding Source	Rationale
<b>Frozen Positions - Request to Unfreeze (1)</b>											
1	Learning Commons and Open Labs	<b>Technician - Open Lab</b> P002912	Administrative Technical Support 3	(same)	\$ 2	\$ 38,975	\$ 38,977	\$ (38,975)	\$ -	Information Security Analyst P000865	•The Learning Commons and Open Lab at the Pecan Campus has experienced an average increase of 21% in student traffic for the past two years. Additionally, newly developed services at the Pecan Campus have also increased the need for additional personnel.
<b>Vacant Positions - Request for Salary Adjustment (1)</b>											
2	IT PM, Risk and Security	Project Manager - Info Tech to <b>Senior Project Manager - Information Technology</b> P002917	Technology 5	Technology 6	\$ 72,532	\$ 10,518	\$ 83,050	\$ (10,518)	\$ -	Information Security Analyst P000865	•Information Technology needs to change the job title for this position to align the IT PM team positions and enhance operational efficiency.
<b>Reclassifications of Existing Positions with Salary Adjustments (1)</b>											
3	Office of Strategic Initiatives	Project Management Analyst to <b>Manager - Office of Strategic Initiatives</b> P001438	Technology 4	Executive Administrative Professional 5	\$ 65,001	\$ 6,979	\$ 71,980	\$ (6,979)	\$ -	Information Security Analyst P000865	•Following consultation with HR, considering expanded duties and responsibilities including supervisory, financial management, and planning duties it is recommended that this position be reclassified with corresponding salary adjustment.
<b>Pool Adjustments to Instructional Direct Wage Pools, Non-Faculty Temp Pools, and Trainer Pools (11)</b>											
4	Library Art Gallery	<b>DW Staff - Library Art Gallery</b> 844398   PG00133	Pool	N/A	\$ 8,000	\$ 9,500	\$ 17,500	\$ (9,500)	\$ -	DW Staff Library Public Services 841101	•The Library Art Gallery (LAG) Direct Wage Pool has remained at \$8,000 for the past 5 years, while the minimum wage for part-time Direct Wage employees has gone up from \$9.00/hour to \$15.50/hour. The LAG pool has been supplemented by the Library Public Services Direct Wage Pool each year to make up the difference required for supporting the staffing needs of the department. It is recommended that the Library Art Gallery pool be increased to eliminate the need for budget transfers throughout the year and adequately provide for the direct wage staffing needs.
5	Technology Support	<b>DW Staff - Tech Support</b> 840391   PG00128	Pool	N/A	\$ 56,258	\$ 3,375	\$ 59,633	\$ (3,375)	\$ -	Information Security Analyst P000865	•Information Technology has an internship program that hires students from McAllen ISD and Vanguard. This internship program began in FY24, and we would like to continue. It provides students with real-life experiences in the Technology field.
6	Center for Learning Excellence_Pecan	<b>DW - SLA/SI Leader (Pecan)</b> 844423   PG00263	Pool	N/A	\$ 262,461	\$ 115,873	\$ 378,334	\$ (115,873)	\$ -	DW Staffing Pool - CLE 840362	•This makes a recurring internal reallocation permanent, eliminating the need for annual position control form paperwork. No funding request is associated with this item.
7	Centers for Learning Excellence	<b>CLE Learning Excellence Mentor</b> 840426   PG00140	Pool	N/A	\$ -	\$ 17,600	\$ 17,600	\$ (17,600)	\$ -	DW Learning Excellence Specialist 847426 ----- DW - SLA/SI Leader 849423	•This is a temporary pool that is funded through internal reallocations. This request will establish it as a permanent pool and eliminate the need for annual position control form paperwork. No funding request is associated with this item.
8	Centers for Learning Excellence	<b>DW-CLE</b> 843423   CC00060	Pool	N/A	\$ 33,250	\$ 11,855	\$ 45,105	\$ (11,855)	\$ -	DW Staffing Pool - CLE 841362	•The current budget is insufficient to meet the exploding demand for academic coaching services across the district. Current staffing from the pool is limited to two part-time coaches. The requested increase will allow for two new part-time DW positions and alleviate some of the stress on the budget from the recent increases to the pay scale for direct wage employees. This will better position the CLE to meet the increasing demand district-wide for coaching and academic success presentations, and for boot camp work at NAH and RCPSE. This will also allow for a more consistent presence at campuses throughout the district.

#	Cost Center/Program Name	Title   Position #	Current Classification & Pay Grade	Proposed Classification & Pay Grade	Current Budget	Adjustment Amount	New Amount	Less Funding Availability	Impact to Budget	Funding Source	Rationale
9	CLE _ Supplemental Instruction	DW - SLA/SI Leader 849423   PG00140	Pool	N/A	\$ 167,000	\$ 63,300	\$ 230,300	\$ (63,300)	\$ -	DW Staffing Pool - CLE 841362	•This makes a recurring internal reallocation permanent, eliminating the need for annual position control form paperwork. No funding request is associated with this item.
10	Center for Learning Excellence_RCPSE	DW - SLA/SI Leader (RCPSE) 848426   PG00268	Pool	N/A	\$ 13,800	\$ 10,188	\$ 23,988	\$ (10,188)	\$ -	DW - SLA /SI Leader 840444 ----- DW Staffing Pool - CLE 841362	•This makes a recurring internal reallocation permanent, eliminating the need for annual position control form paperwork. No funding request is associated with this item.
11	Center for Learning Excellence_Tech	DW - SLA/SI Leader (Tech) 847423   PG00266	Pool	N/A	\$ 77,550	\$ 48,467	\$ 126,017	\$ (48,467)	\$ -	DW - SLA /SI Leader 840444	•This makes a recurring internal reallocation permanent, eliminating the need for annual position control form paperwork. No funding request is associated with this item.
12	Center for Learning Excellence_Starr	DW - SLA/SI Leader (Starr) 848423   PG00267	Pool	N/A	\$ 76,286	\$ 44,531	\$ 120,817	\$ (44,531)	\$ -	DW Staffing Pool - CLE 840362 ----- DW Staffing Pool - CLE 841362	•This makes a recurring internal reallocation permanent, eliminating the need for annual position control form paperwork. No funding request is associated with this item.
13	Center for Learning Excellence_MV	DW - SLA/SI Leader (MV) 845423   PG00264	Pool	N/A	\$ 172,558	\$ 61,082	\$ 233,640	\$ (61,082)	\$ -	DW Staffing Pool - CLE 841362	•This makes a recurring internal reallocation permanent, eliminating the need for annual position control form paperwork. No funding request is associated with this item.
14	Center for Learning Excellence_NAH	DW - SLA/SI Leader (NAH) 846423   PG00265	Pool	N/A	\$ 121,146	\$ 53,619	\$ 174,765	\$ (53,619)	\$ -	DW Staffing Pool - CLE 841362	•This makes a recurring internal reallocation permanent, eliminating the need for annual position control form paperwork. No funding request is associated with this item.
Total for Vice President for Information Services, Planning, Performance and Strategic Initiatives					\$ 1,125,844	\$ 495,862	\$ 1,621,706	\$ (495,862)	\$ -		

Total for Information Services, Planning, Performance and Strategic Initiatives (ISPPSI) Division	\$ 495,862
Less Funding from Savings of Existing Vacant Positions or Pools	(495,862)
Net Salary Budget Increase	\$ -

\*Projected salaries are based on FY 2024 - 2025 pay grade scales with no annual increases. Salaries are subject to change if the Board approves new FY 2025 - 2026 pay grade scales with an annual salary increase.

\*Budget reductions to salary pools are permanent and the salary pool will not be re-funded. Budget reductions to vacant positions will result in the vacant position being deleted and the vacant position will not be re-funded.



#	Cost Center/Program Name	Title   Position #	Current Classification & Pay Grade	Proposed Classification & Pay Grade	Current Budget	Adjustment Amount	New Amount	Less Funding Availability	Impact to Budget	Funding Source	Rationale
New Positions (1)											
1	Student Affairs and Enrollment Management	Specialist - Recruiting	N/A	Administrative Technical Support 4	\$ -	\$ 42,879	\$ 42,879	\$ (42,879)	\$ -	DW Staff - SAEM Pool 848612	• Implementation of the Valley Promise Program necessitates additional recruitment staff to assist high school seniors with enrollment and financial aid processes.
Reclassifications of Existing Positions with Salary Adjustments (4)											
2	Student Assessment Center	Coordinator of Testing Services to Manager - Testing Services P000386	Executive Administrative Professional 3	Executive Administrative Professional 5	\$ 65,094	\$ 13,889	\$ 78,983	\$ (13,889)	\$ -	Testing Specialist P002005	•Position has taken on additional responsibilities, including state reporting and compliance.
3	Advising	Reclassification for Coordinator of Advisement to Manager - Advisement Services P000169	Executive Administrative Professional 3	Executive Administrative Professional 5	\$ 68,617	\$ 8,365	\$ 76,982	\$ (8,365)	\$ -	DW Staff - SAEM Pool 848612	•Increased demand for advising and retention services due to the growth of the Valley Promise and Adult Promise initiatives; Manager will assist the Director in organization of all departments in the Division and work closely with Academic Affairs to provide case management services for all FTICs, Promise Scholars, and Adult learners; Manager will also oversee advisement outreach with Valley Promise districts and community events as well as lead the annual Summer Leadership Institute for all area high school counselors.
4	Office of Enrollment Services	Director of Valley Promise to Director - Promise Program and Enrollment Management P003236	Executive Administrative Professional 9	Executive Administrative Professional 9	\$ 45,276	\$ 55,276	\$ 100,552	\$ (55,276)	\$ -	DW Staff - SAEM Pool 848612 ----- Testing Specialist P002005	•The Director will oversee Valley Promise program and traditional student recruitment. The position is currently split-funded, but now it is requested to fund the position 100% through unrestricted funds.
5	Student Affairs and Enrollment Management	Student Services Specialist I to Specialist - Recruiting P001876	Administrative Technical Support 3	Administrative Technical Support 4	\$ 36,067	\$ 2,829	\$ 38,896	\$ (2,829)	\$ -	DW Staff - SAEM Pool 848612	•Implementation of Valley Promise Program necessitates additional recruitment staff to assist high school seniors with enrollment and financial aid processes.
Total for Vice President for Student Affairs and Enrollment Management					\$ 215,054	\$ 123,238	\$ 338,292	\$ (123,238)	\$ -		

Total for Student Affairs and Enrollment Management (SAEM) Division	\$ 123,238
Less Funding from Savings of Existing Vacant Positions or Pools	(123,238)
Net Salary Budget Increase	\$ -

\*Projected salaries are based on FY 2024 - 2025 pay grade scales with no annual increases. Salaries are subject to change if the Board approves new FY 2025 - 2026 pay grade scales with an annual salary increase.  
\*Budget reductions to salary pools are permanent and the salary pool will not be re-funded. Budget reductions to vacant positions will result in the vacant position being deleted and the vacant position will not be re-funded.

South Texas College  
No Impact on Budget for FY 2025 - 2026  
FY 2025 - 2026

F. All Divisions - Title Changes to Positions/ Pools

#	Cost Center or Program Code #	Cost Center/Program Name	Position/ Pool #	Current Position/Pool Title	Classification	Pay Grade	New Position/Pool Title	Rationale
Vice President for Academic Affairs (20)								
1	CC00019	Division of Nursing & Allied Health	P003139	Specialist II - Lab NAH (Vacant)	Administrative Technical Support	5	Specialist - Healthcare Stimulation	•This position will support the Clinical Simulation program. Title change requested to align with the department.
2	CC00016	Division of Business Public Safety & Technology	P003136	Lab Assistant - Bus & Tech (Vacant)	Administrative Technical Support	1	Secretary	•This position will support the Culinary Arts and Cosmetology programs. Title change requested to align with the new departments.
3	PG00094	Clinical Simulation	P002093	Simulation Network Specialist (Filled)	Administrative Technical Support	5	Specialist - Healthcare Stimulation	•Position title change to align with duties and responsibilities associated with the position.
4	CC00062	Center for Advanced Training and Apprenticeships	P001650	Coordinator- Apprenticeship Navigator (Filled)	Executive Administrative Professional	2	Coordinator - Industry Training and Apprenticeships	• The title change accurately reflects the role's expanded focus on both the apprenticeship program coordinator and broader workforce training initiatives. The title change aligns with the position's key responsibilities, including employer engagement, generating revenue through training contracts, and expanding the strategic apprenticeship program.
5	CC00062	Center for Advanced Training and Apprenticeships	P002032	Specialist- Project Training (Filled)	Executive Administrative Professional	2	Specialist – Industry Training and Development	•Title change accurately reflects the role's expanded focus on employer engagement, workforce development, and revenue generation. The title change aligns with industry-standard job titles in workforce development, making recruitment and external partnerships more effective.
6			P000204	Specialist- Project Training (Filled)			Specialist – Industry Training and Development	
7			P000036	Specialist- Project Training (Filled)			Specialist – Industry Training and Development	
8	PG00081	Associate Degree Nursing	P003047	Associate Degree Nursing Faculty (Vacant)	Faculty	N/A	Surgical Technician Faculty	•This faculty position is needed to support the upcoming program with course offerings.
9	CC00019	Division of Nursing & Allied Health	P003252	Dean - Nursing & Allied Health (Vacant)	Executive Administrative Professional	12	Dean - Health Science Professions	•Update titles to reflect new division name.
10			P000606	Instructional Initiatives Manager- Nursing & Allied Health (Filled)	Executive Administrative Professional	5	Instructional Initiatives Manager- Health Science Professions	
11			P001413	Lab Assistant - Nursing & Allied Health (Filled)	Administrative Technical Support	2	Lab Assistant - Health Science Professions	
12	CC00011	Curriculum	P000790	Director - Curriculum, Planning, and Compliance (Filled)	Executive Administrative Professional	10	Associate Dean - Curriculum, Planning and Compliance	•The proposed title change is a reflection of the expanded scope, complexity, and strategic importance of the role. As the College’s liaison to the Texas Higher Education Coordinating Board (THECB), this position is critical in ensuring institutional compliance with state regulations and in coordinating with stakeholders across all instructional and non-instructional divisions. The role has grown significantly to encompass leadership in the development and review of over 130 academic programs as well as aiding with the non-credit program pathways, underscoring the increasing institutional emphasis on program quality and responsiveness to workforce and transfer demands.

South Texas College  
No Impact on Budget for FY 2025 - 2026  
FY 2025 - 2026

F. All Divisions - Title Changes to Positions/Pools

#	Cost Center or Program Code #	Cost Center/Program Name	Position/Pool #	Current Position/Pool Title	Classification	Pay Grade	New Position/Pool Title	Rationale
13	CC00019	Division of Nursing & Allied Health	P002841	DW Staff - NAH Division Pool	Pool - Direct Wage	N/A	DW Staff - Health Science Professions	•Update titles to reflect new division name.
14			382262 CC00019	Nursing Stipend Pool	Pool - Stipend		Stipend Pool - Health Science Professions	
15			841037 PG00281	NAH Faculty Retention Stipend Pool	Pool - Stipend		Faculty Retention Stipend - Health Science Professions	
16			213557 PG00215	NAH SPA Pool	Stipend - Special Assign Pool		SPA Pool - Health Science Professions	
17			214557 PG00215	NAH Stipend Pool	Pool - Stipend		Stipend Pool - Health Science Professions	
18			212557 PG00215	NAH Lecturer Pool	Pool - Faculty Salary		Lecturer Pool - Health Science Professions	
19			211557 PG00215	NAH Overload Pool	Faculty - Overload Pay		Overload Pool - Health Science Professions	
20			210557 PG00215	NAH Adjunct Pool	Pool - Salary		Adjunct Pool - Health Science Professions	

Vice President for Finance and Administrative Services (4)								
21	CC00043	Custodial	P000481	Custodial Manager <b>(Filled)</b>	Executive Administrative Professional	3	Manager - Campus Facilities	•Due to an increase in responsibilities at each campus, the existing managers have coordinated with outside service vendors to handle preventive maintenance, lawn maintenance, work orders, and utilities. These positions will advise the Executive Director of Facilities Operations and Maintenance on the coordination and evaluation of all facilities at the assigned campus and provide direction to the custodial and maintenance departmental staff.
22			P000325	Custodial Manager <b>(Filled)</b>			Manager - Campus Facilities	
23			P002613	Custodial Manager <b>(Filled)</b>			Manager - Campus Facilities	
24	CC00047	Human Resources	P000896	Director - Employee Relations and Title IX <b>(Filled)</b>	Executive Administrative Professional	9	Director - Employee Relations and Talent Development	•The new title emphasizes a broader focus on not just employee relations but also the professional growth and development of college employees. Accordingly, the pay grade reclassification is reflective of the increase in responsibilities related to employee training, mentorship, and development program. In addition to the added supervision of applicable staff.

Vice President for Information Services, Planning, Performance and Strategic Initiatives (10)								
25	PG00129	Library Acquisition	P000996	Librarian III-Collection Management and Acquisitions <b>(Filled)</b>	Executive Administrative Professional	4	Manager - Library Collection	•A change in the title better reflects the responsibilities of the role in relation to other positions in the College and aligns with academic libraries. The position supports all students, faculty, and staff, as well as all district-wide curricular programs. The responsibilities of this position include managing a \$850,000 budget, interacting with and coordinating over 25 vendors, negotiating more than 50 contracts, and writing and evaluating numerous RFPs and RFQs. This position directs all librarians in collection development activities and manages all district-wide print and digital collections. The position supervises the assigned Library Acquisitions staff. The position is responsible for collaborating closely with the Associate Dean of Library Services and other library managers to develop, implement, and evaluate the department's procedures, programs, functions, and activities. This position requires a master's degree in Library or Information Science from an ALA-accredited institution.

South Texas College  
No Impact on Budget for FY 2025 - 2026  
FY 2025 - 2026

F. All Divisions - Title Changes to Positions/ Pools

#	Cost Center or Program Code #	Cost Center/Program Name	Position/Pool #	Current Position/Pool Title	Classification	Pay Grade	New Position/Pool Title	Rationale
26	CC00053	Library Public Services	P001753	Librarian III-Outreach and Instruction <b>(Filled)</b>	Executive Administrative Professional	4	Manager - Library Engagement	•A change in the title better reflects the responsibilities of the role in relation to other positions in the College and aligns with academic libraries. The responsibilities of this position include managing a budget of over \$70,000 and coordinating numerous contracts and related agreements with vendors to support library programming and library art gallery events. The Manager hires, supervises, evaluates, and trains assigned Library Public Services staff. This position requires a master's degree in Library or Information Science from an ALA-accredited institution.
27	CC00053	Library Public Services	P000517	Librarian III-Reference and Circulation <b>(Filled)</b>	Executive Administrative Professional	4	Manager - Library Access Services	•A change in the title better reflects the responsibilities of the role in relation to other positions in the College and aligns with academic libraries. This position is responsible for coordinating and supervising all Campus Librarians and all campus library programs. The Manager oversees the development of circulation and reference procedures, manuals, and training programs for all district libraries. The Manager coordinates district-wide circulation, reference services, and library programs that support all students, faculty, and staff, as well as all district-wide curricular programs. The Manager develops, promotes, implements, maintains and helps evaluate district-wide library services. The Manager hires, supervises, evaluates, and trains assigned Library Public Services staff. This position requires a master's degree in Library or Information Science from an ALA-accredited institution.
28	PG00127	Applications Development	P001442	Business Analyst <b>(Filled)</b>	Technology	5	Project Management Coordinator - Information Technology	•Information Technology needs to change the job title for this position to align the IT PM team positions and enhance operational efficiency.
29	CC00049	Information Services & Planning	P002931	Vice President - Information Services, Planning, Performance, and Strategic Initiatives <b>(Vacant)</b>	Executive Administrative Professional	14	Vice President - Technology, Information, and Planning Services	•Title changes needed to reflect the new division name.
30			720625 CC00049	IS&P Non-Faculty Temp Pool	N/A	N/A	Non-Faculty Temp Pool - TIPS	
31			849625 CC00049	IS&P Salary Adjustment Pool			Salary Adjustment Pool - TIPS	
32			843275 CC00049	DW Staff - SE IS&P Pool			DW Staff Pool - TIPS	
33	CC00051	Information Technology	P002918	Assistant Chief Information Officer - IT Services <b>(Vacant)</b>	Technology	9	Assistant Chief Information Officer - IT Services and Application Integrations	• Information Technology needs to update the job titles to match the responsibilities each ACIO will oversee.
34			P002919	Assistant Chief Information Officer - Infrastructure and Software Development <b>(Vacant)</b>			Assistant Chief Information Officer - IT Operations and Infrastructure	

South Texas College  
No Impact on Budget for FY 2025 - 2026  
FY 2025 - 2026

#	Cost Center or Program Code #	Cost Center/Program Name	Updated Cost Center or Program Code #	Updated Cost Center/Program Name	Position #	Current Position Title	New Position Title	Rationale
Vice President for Academic Affairs and Economic Development (24)								
1	CC00019	Division Nursing & Allied Health	CC00019	Division of Health Science Professions	N/A	N/A	N/A	•The name change will accurately reflect the various health science programs under the division.
2	CC00019	Division Nursing & Allied Health	CC00019	Division of Health Science Professions	P003252	Dean - Nursing & Allied Health <b>(Vacant)</b>	Dean - Health Science Professions	•Update titles to reflect new division name.
3			CC00019	Division of Health Science Professions	P000606	Instructional Initiatives Manager- Nursing & Allied Health <b>(Filled)</b>	Instructional Initiatives Manager - Health Science Professions	
4			CC00019	Division of Health Science Professions	P001413	Lab Assistant - Nursing & Allied Health <b>(Filled)</b>	Assistant - Lab	
5			CC00019	Division of Health Science Professions	849557 CC00019	DW Staff - NAH Division Pool	DW Staff - Health Science Professions Pool	
6			CC00019	Division of Health Science Professions	382262 CC00019	Nursing Stipend Pool	Health Science Professions Stipend Pool	
7			CC00019	Division of Health Science Professions	841037 PG00281	NAH Faculty Retention Stipend Pool	Health Science Professions Faculty Retention Stipend Pool	
8			CC00019	Division of Health Science Professions	213557 PG00215	NAH SPA Pool	Health Science Professions SPA Pool	
9			CC00019	Division of Health Science Professions	214557 PG00215	NAH Stipend Pool	Health Science Professions Stipend Pool	
10			CC00019	Division of Health Science Professions	212557 PG00215	NAH Lecturer Pool	Health Science Professions Lecturer Pool	
11			CC00019	Division of Health Science Professions	211557 PG00215	NAH Overload Pool	Health Science Professions Overload Pool	
12			CC00019	Division of Health Science Professions	210557 PG00215	NAH Adjunct Pool	Health Science Professions Adjunct Pool	
13			PG00094	Clinical Simulation	P003139	Specialist II - Lab NAH <b>(Vacant)</b>	Specialist - Healthcare Simulation	
14	CC00019	Division Nursing & Allied Health	PG00094	Clinical Simulation	P000846	Secretary <b>(Filled)</b>	(same)	•Transfer secretary positions to different programs per departmental needs.
15			PG00093	Emergency Medical Services	P001611	Secretary <b>(Filled)</b>	(same)	
16			PG00088	Health Administrative Services	P000609	Secretary <b>(Filled)</b>	(same)	
17			PG00089	Respiratory Therapy	P001827	Secretary <b>(Filled)</b>	(same)	
18			PG00092	Bachelor's of Nursing	P000869	Secretary <b>(Filled)</b>	(same)	
19	PG00093	Emergency Medical Services	CC00019	Division of Health Science Professions	P002319	Secretary <b>(Filled)</b>	(same)	

South Texas College  
No Impact on Budget for FY 2025 - 2026  
FY 2025 - 2026

#	Cost Center or Program Code #	Cost Center/Program Name	Updated Cost Center or Program Code #	Updated Cost Center/Program Name	Position #	Current Position Title	New Position Title	Rationale
20	PG00081	Associate Degree Nursing	CC00019	Division of Health Science Professions	P003047	Associate Degree Nursing Faculty (Vacant)	Surgical Technician Faculty	•This faculty position is needed to support the upcoming program with course offerings.
21	CC00016	Division of Business Public Safety & Technology	PG00027	Culinary Arts	P003136	Lab Assistant - Bus & Tech (Vacant)	Secretary	•This position will support the Culinary Arts and Cosmetology programs. Title change requested to align with the new departments.
22	GR00024	Developing Hispanic Serving (DHSI)	PG00233	Academic Persistence Programs	P002432	Starfish Administrator (Filled)	Academic Support Programs Administrator	•The Administrator leads the development, implementation, and management of the ongoing operations of the Starfish Early Alert System to drive student success through engagement and measurement with direction from College-wide leadership and teams. Title change requested to align with the new departments.
23	PG00036	Mathematics	CC00020	Division of Math Science IT & BA Programs	P003150	Lab Technician (Vacant)	(same)	This position will be responsible for overseeing maintenance and support across the MSTIB computer labs, including those for Cybersecurity, Mathematics, and Information Technology at various campuses (MVC, Regional, Technology, and Pecan).
24	PG00025	Information Technology Program	PG00037	Biology	P002986	Lab Assistant - Information Technology Program	Assistant - Lab	•The change is in response to the growing demand for Biology courses, which additional staffing is needed to effectively operate the labs.

Vice President for Finance and Administrative Services (15)								
25	CC00035	Business Office	CC00036	Cashiers Office	P001358	Accounting Group Manager (Filled)	(same)	•Transferring Business Office positions to Cashiers. The Director of Student Accounts & Bursar at Cashiers oversees Grants and Accounts Receivable departments.
26					P000741	Accounting Group Supervisor (Filled)		
27					P001664	Accountant II (Filled)		
28					P002839	Accountant II (Filled)		
29					P002145	Accountant II (Filled)		
30					P001145	Accountant II (Filled)		
31					P100249	FT-Temp Accounting Assistant (Vacant)		
32					P001921	Accounting Group Supervisor (Filled)		
33					P002973	Accounting Specialist (Filled)		
34					P001783	Accounting Specialist (Filled)		
35					P001599	Accounting Assistant (Filled)		
36					P002373	Collection Specialist (Filled)		

South Texas College  
No Impact on Budget for FY 2025 - 2026  
FY 2025 - 2026

#	Cost Center or Program Code #	Cost Center/Program Name	Updated Cost Center or Program Code #	Updated Cost Center/Program Name	Position #	Current Position Title	New Position Title	Rationale
37	CC00035	Business Office	CC00036	Cashiers Office	P002372	Accounting Assistant ( <b>Vacant</b> )	(same)	•Transferring Business Office positions to Cashiers. The Director of Student Accounts & Bursar at Cashiers oversees Grants and Accounts Receivable departments.
38					P002349	DW Staff Record Retention ( <b>Filled</b> )		
39					P001103	Accounting Specialist ( <b>Filled</b> )		
Vice President for Information Services, Planning, Performance and Strategic Initiatives (2)								
40	CC00049	Information Services, Planning, Performance and Strategic Initiatives	CC00049	Technology, Information, and Planning Services	N/A	N/A	N/A	•In response to recommendations from many within and outside the Division of Information Services, Planning, Performance, & Strategic Initiatives, a division name change is recommended following group consultations and an online poll within the ISPP&SI Division. The new name, "Technology, Information, and Planning Services (TIPS)," accurately reflects the division's various functions.
41	PG00136	Office of Strategic Initiatives	CC00059	Institutional Research & Effectiveness	P002907	Asst VP for Strategic Initiatives ( <b>Vacant</b> )	Associate VP - Institutional Research and Planning	• Funding and reclassifying this position is a strategic decision that enhances the institution's ability to achieve its mission and long-term objectives. This leadership position is crucial for ensuring institutional accreditation by maintaining rigorous data integrity, compliance, and continuous improvement processes. The position will bring expertise in strategic planning, research, and institutional effectiveness. It will lead efforts to align the college's mission with key performance indicators that drive student success, increase enrollment, and optimize performance-based funding. This change ensures seamless integration of planning, assessment, and accreditation efforts, reinforcing the college's commitment to student achievement and institutional excellence. This position will provide oversight of RAS, IEA, Strategic Planning, SACS Accreditation compliance, and Strategic Initiatives.



## **Review and Recommend Action on Legal Services Modification Agreement**

**Purpose** To approve a legal services modification agreement to modify by changing the payment terms from an hourly rate to a fixed monthly retainer fee of \$5,000.00.

**Justification** To modify the payment terms of hourly rates to a fixed monthly retainer amount is requested by Legal Counsel, Javier Villalobos, in order to streamline and expedite the accounts receivable process.

On June 8, 2021, the Board of Trustees awarded the contract for legal services to the Law Office of Javier Villalobos, P.C.

The compensation rates established in the current legal services agreement are as follows:

<b>Compensation Rates Established in Legal Services Agreement</b>	
Attorney Fees	\$200.00/hour
Litigation Fees	\$250.00/hour
Paralegal Services: Assistant 1	\$50.00/hour
Paralegal Services: Assistance 2	\$80.00/hour
Reimbursements	Out-of-Pocket Expenses at Actual Cost

*\*\*(Fractional hours will be billed in increments of 0.25 hours)*

The modification agreement replaces the above hourly rates to a monthly retainer of \$5,000.00 that is based on working 25 hours a month at an hourly rate of \$200.00. This monthly retainer will be retroactive to January 2025.

**Funding** Legal services budget

**Staff Resource** Dr. Ricardo Solis, President  
Mary Del Paz, Vice President for Finance and Administrative Services  
Javier Villalobos, Legal Counsel

**Recommendation** ***It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:***

The Board of Trustees of South Texas College approves and authorizes the legal services modification agreement with the Law



Office of Javier Villalobos, P.C., to a fixed monthly retainer fee of \$5,000.00, retroactive to January 2025, as presented.

**Approval Recommended:**

**Dr. Ricardo J. Solis**  
President

## **Review and Recommend Action on Use of Fund Balance to Support Students at Risk of Not Persisting Due to Loss of Financial Aid Eligibility**

<b>Purpose</b>	Administration proposes expanding the Re-Ignite funding, as approved by the Board of Trustees, to support students at risk of not persisting due to loss of financial aid eligibility through the remainder of FY 2024 - 2025 and into FY 2025 - 2026.
<b>Justification</b>	In September 2024, the Board of Trustees approved the Relgnite Scholarship for Fiscal Year 2024 - 2025 to help returning students pay off prior debts and cover current tuition costs. Since then, the introduction of the JagReconnect (Adult Promise) Program has significantly reduced the number of students with unpaid balances. Given this progress, the administration now seeks the Board's approval to repurpose the remaining Relgnite funds by establishing the StayOn Track Scholarship for Fiscal Year 2025 - 2026. This new initiative would support students who are in good academic standing but do not meet financial aid eligibility criteria. The scholarship will provide tuition assistance and include personalized coaching and mentoring to promote academic success. By addressing one of the key barriers to student retention and enrollment—financial need—this initiative aims to further strengthen student persistence and educational attainment.
<b>Enclosed Documents</b>	PowerPoint presentation.
<b>Funding</b>	No funds are required.
<b>Staff Resource</b>	Tony Matamoros, Dean of Enrollment Services.
<b>Recommendation</b>	<p><b><i>It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:</i></b></p> <p>The Board of Trustees of South Texas College approves and authorizes the repurposing of Re-Ignite funds to support students at risk of not persisting due to the loss of financial aid, through the creation of the StayOn Track Scholarship, which will assist students through FY 2025 – 2026.</p> <p><b>Approval Recommended:</b></p> <p><b>Dr. Ricardo J. Solis</b> President</p>

# StayOn Track Initiative

*Finance, Audit, & Human Resources Committee*  
- **Board of Trustees**



**SOUTH TEXAS  
COLLEGE**

## Relgnite Scholarship

- \$150,000 Approved at September 2025 Board Meeting for FY 2025-2026
- Provides Financial Support to Returning Students with Past and Current Tuition Balances
- Approximately \$30,000 Awarded in Spring and Summer 2025

## Areas of Priority

- Operational Efficiencies
- Optimize Financial Aid Processes and Procedures
- Simplify Information to Students and Parents
- Integrate Emerging Technologies
- Timely Resolution of Financial Aid Issues
- Pro-Active Measures for At-Risk Students
- Flexible Payment Options

## Highlights

- Increase in Early Enrollment of Students
- Decrease in Unpaid Accounts
- New Payment Options
- Decrease in Students Dropped for Non-Payment:

Semester	Students Dropped For Non-Payment
Spring 2024	433
Spring 2025	291

**33% Decrease**

## JagReconnect

### Program Components:

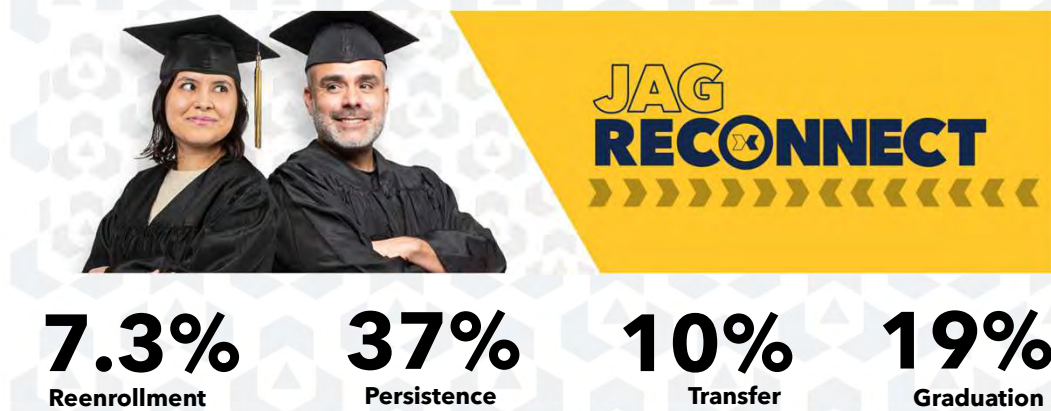
- Personalized Coaching and Mentoring
- Case Management and Monitoring of Academic Progress
- Covers Tuition for Remaining Courses if Close to Completion
- Wrap-Around Services

## JagReconnect

### Program Criteria:

- Be a Texas resident, residing in Hidalgo Co. or Starr Co.
- Complete a credential within two consecutive semesters
- Enroll in minimum of six credit hours each semester
- Demonstrate financial need
- Have and maintain a cumulative GPA of 2.0
- Meet financial aid SAP standards

## JagReconnect Program Success Rates



## One-Year Assessment

- Many students maintain strong GPAs but have lost financial aid eligibility
- Students often face challenges transitioning to college and navigating personal hardships
- Lack of proactive advisement for students at risk of losing financial aid
- Few financial options available for students who no longer qualify for aid
- No dedicated staff assigned to support students who have lost financial aid eligibility



## Satisfactory Academic Progress (SAP)

**Good**

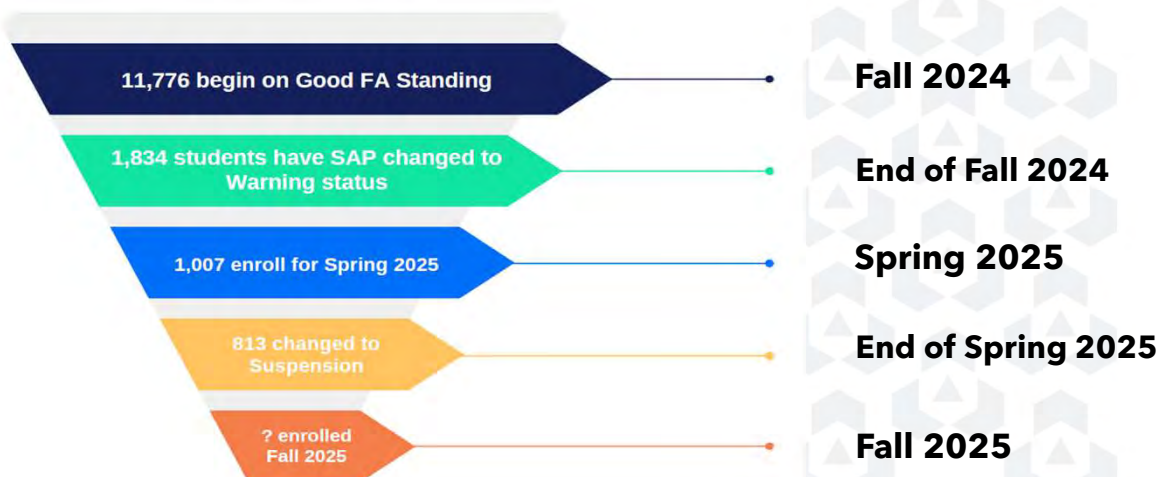
**Warning**

**Suspension**

### SAP Criteria:

- 1) Minimum 2.0 GPA
- 2) Complete 67% of Attempted Credits
- 3) Graduate within the Maximum Time Frame

## 2024-2025 Academic Year SAP Data



## Key Student Data Points

**71%**

**Receive Financial  
Aid**

**44%**

**Former Students  
Stopped Out Due  
to Financial Issues**

**35%**

**Struggle to Pay  
Bills**

Sources:  
2025 STC Student Financial Services Data  
2024 Trellis STC Re-Engagement Survey  
2024 STC Survey of Entering Student Engagement (SENSE)

## STC Student Profile



<b>Student Type:</b>	Continuing
<b>Program:</b>	ADN
<b>Degree Progress:</b>	23%
<b>GPA:</b>	2.7
<b>SAP Status:</b>	<b>Suspension</b>
<b>Attempted Hours:</b>	20
<b>Completed Hours:</b>	13
<b>FA Completion:</b>	65%



## STC Student Profile



**Student Type:** Returning  
**Program:** HVAC Certificate  
**Degree Progress:** 98%  
**GPA:** 4.0  
**SAP Status:** **Suspension**  
**Attempted Hours:** 27  
**Completed Hours:** 12  
**FA Completion:** 44%

## Potential StayOn Track Recipients

**627** Students Currently on Suspension 2.0+ GPA

Students	Credit Hours Needed to Regain Financial Aid*
138	6
260	12

*\*Courses Must be Completed with Grade of "D" or Better*

## StayOn Track

### Program Components:

- Early Interventions for At-Risk Students
- Personalized Coaching and Mentoring
- Tuition Assistance to Help Regain Financial Aid Eligibility
- Ongoing Case Management
- Financial Planning and Literacy Education
- Wrap-Around Services

## Review and Recommend Action to Revise Local Policy

**Purpose** To revise the local policy listed in Appendix A to align with College operations.

**Justification** The local policy was revised to reflect the updates to the College's internal operations. Below is a justification for the revised local policy.

At the May 27, 2025 Board Meeting, Policy DGBA (LOCAL) was presented but not approved as part of the consent agenda item. The Board Chair requested that the policy be reviewed, revised, and brought back for approval.

**Enclosed Documents** Appendix A – Policy and justification  
Appendix B – Policy  
Appendix C – Employee Complaint Form and Employee Level I Complaint Grievance Appeal Notice  
Appendix D – DGBA Legal Framework

**Staff Resource** Mary Del Paz, Vice President for Finance and Administrative Services  
Zach Suarez, Executive Director for Human Resources and Talent Development

**Recommendation** ***It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:***

The Board of Trustees of South Texas College approves and authorizes to revise Policy DGBA (LOCAL) – Personnel-Management Relations: Employee Grievances, as presented, and which supersedes any previously adopted Board policy.

**Approval Recommended:**

**Dr. Ricardo J. Solis**  
President

### Appendix A

Revised Policies	Justification
Policy DGBA (LOCAL) – Personnel-Management Relations: Employee Grievances	This policy revision serves to provide explicit clarification that the decision rendered by the Level Two Administrator constitutes the final resolution under this policy and is not subject to further appeal.

**Appendix B**

Policies follow in the packet.

**Appendix C**

Employee Complaint Form and Employee Level I Complaint Grievance Appeal Notice  
follow in the packet for additional information.

**Appendix D**

DGBA Legal Framework follows in the packet for additional information.

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

**Employee  
Grievances**

College District employees have the right to present grievances concerning their wages, hours of employment, or conditions of work, either individually or through a representative ~~that does not claim the right to strike~~. Employees can seek to redress a grievance by filing a complaint in accordance with this policy.

**Guiding Principles**  
Informal Process

The Board encourages employees to discuss their concerns with their supervisor ~~or other appropriate administrator~~ who has the authority to address the concerns.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible ~~administrative~~ **supervisory** level.

Even after initiating the formal grievance process, the College District encourages employees to seek informal resolution of concerns. An employee whose concerns are resolved may withdraw a formal grievance at any time. Informal resolution should not extend any deadlines in this policy, except by mutual written consent.

**Definition**

A complaint or grievance is defined as an unresolved issue concerning an employee's wages, hours of employment, unlawful dismissal/contract termination, or conditions of work.

In this policy, the terms "complaint" and "grievance" shall have the same meaning.

**Notification of Rights**

The College District shall inform employees of this policy through appropriate College District publications.

The processes described in this policy shall not create new or additional rights beyond those granted by law or other Board policies.

**Freedom from  
Retaliation**

~~Neither the Board nor any College District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.~~

**Whistleblower  
Complaints**

Employees shall file whistleblower complaints within the time specified by law. Such complaints shall first be filed in accordance with initiating grievances at Level Two, below. Timelines for the employee and the College District set out in this policy may be shortened to allow the College President to make a final decision within 60 days of the initiation of the complaint. [See DG(LEGAL)]

**Other Complaint  
Processes**

Employees shall file complaints according to the procedures established by the College President, **in accordance with Board policies**, except as required by law. For complaints protected by law within this policy, employees shall file according to the policies

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

listed below. Some of these policies require appeals to be submitted in accordance with DGBA(LOCAL) after the relevant complaint process:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability). [See DIAA and DIAB]
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violations of Title VII. [See DIAA and DIAB]
3. Complaints concerning retaliation relating to discrimination and harassment. [See DIAA and DIAB]
4. Complaints concerning a commissioned peace officer who is an employee of the College District. [See CHA]
5. Complaints concerning an employment preference for former foster children. [See DC]
6. Complaints arising from the dismissal of term contract faculty members. [See DMAA]
7. Complaints concerning the nonrenewal or termination of term contract faculty members. [See DMAB]

**General Provisions**

Filing

~~Employees shall file grievances and appeals in writing to the office of human resources (OHR). The College District shall provide an appropriate filing form in electronic format.~~ **Employees shall file grievances and appeals in writing with the Office of Human Resources (OHR). While the College District provides an appropriate form in electronic format, employees may also submit written documents or emails as attachments to support their filing via email, or hand deliver the form to the OHR.**

**The Employee Complaint Form must include the following information:**

- 1. A clear explanation of the employee's specific concern;**
- 2. A description of how the employee's employment has been affected; and**
- 3. A description of the relief the employee is seeking.**

An employee shall file a grievance within 10 ~~calendar~~ **business** days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the grievance.

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

Employees may file complaints and supporting documentation electronically via the College District's complaint submission webpage. Electronic filings shall be timely if the OHR receives the filing by the close of business on the deadline, as indicated by the date/time shown on the electronic communication.

The employee shall attach copies of any documents that support the grievance to the complaint form. If the employee does not have copies, the employee may present the original documents at the Level One conference. After the Level One conference, the employee may not submit new documents unless the employee did not know the documents existed before the Level One conference.

The College District may dismiss any grievance form that an employee submits as incomplete in any material aspect. The employee may refile the grievance with all the required information if the refiling is within **five (5) business days of the dismissal.** ~~the designated time limit.~~

Scheduling  
Conferences

**The College District shall make reasonable attempts, including no fewer than three, to schedule conferences at a mutually agreeable time.** ~~The College District shall make reasonable attempts to schedule conferences at a mutually agreeable time.~~ If the employee fails to appear at a scheduled conference, the College District may hold the conference and issue a decision in the employee's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the employee ~~from the appropriate administrator.~~ Responses may be hand-delivered, sent by electronic communication to the employee's email address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one." **A College District business day is defined as a day that the College District at large is open and conducting business.**

Representative

"Representative" means any person or an organization that ~~does not claim the right to strike and~~ is designated by the employee to represent him or her in the complaint process.

**The employee may designate a representative through written notice at any level of this process. If the employee provides**

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

less than 2 days' notice to the College District before a scheduled conference, the College District may reschedule the conference to a later date, if desired, to allow time to consult with its counsel.

The College District may be represented by counsel at any level of the process only in the event the grievant is represented or the grievant themselves is a licensed attorney. In such cases, the College District will provide at least two days' notice to the employee if it intends to have legal counsel present at a conference. ~~The employee may designate a representative through written notice at any level of this process. If the employee designates a representative with fewer than three days' notice to the College District before a scheduled conference, the College District may reschedule the conference to a later date, if desired, in order to include the College District's counsel. The College District may be represented by counsel at any level of the process.~~

**Consolidating  
Complaints**

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the College District may consolidate the complaints.

**Time Limits and Cost**

All time limits shall be strictly complied with, unless extended by mutual written consent signed by both parties or by extenuating circumstances that are properly documented with the OHR and shared with both parties. ~~Announcing a decision in the employee's presence constitutes communication of the decision.~~ Each party shall pay its own costs incurred during the course of the grievance, including attorney fees.

**Grievance Process**

Level One  
(Immediate  
Supervisor)

The Level One ~~administrator-supervisor~~ shall be the lowest level ~~administrator-supervisor or designee~~ in the employee's chain of command with the authority to remedy the alleged problem. If that ~~administrator-supervisor~~ is the vice president in the employee's chain of command or the College President, the grievance procedure shall begin at Level Two, as appropriate.

The Level One procedure is as follows:



PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

1. ~~The administrator may investigate as necessary and shall schedule a conference with the employee within 15 calendar days after the grievance filing date.~~ **Upon receipt of the grievance, the Office of Human Resources (OHR) shall review the submission and may request clarification from the employee, if necessary. Once the OHR has completed its review, the grievance shall be forwarded to the immediate supervisor, who shall investigate as needed and schedule a conference with the employee within 15 business days of receiving the grievance from the OHR.**
2. The ~~administrator~~ **supervisor** may set reasonable time limits for the conference. The ~~administrator~~ **supervisor** may issue a decision on the basis of the written complaint in instances where an employee is unwilling to conference with the Level One ~~administrator~~ **supervisor**.
3. Absent extenuating circumstances, the ~~administrator~~ **supervisor** ~~shall~~ **may** provide the employee a written response within 15 ~~calendar~~ **business** days following the conference stating whether the grievance is being granted or not. If the grievance is being granted, the ~~administrator~~ **supervisor** will inform the employee whether the relief requested is being granted either in whole or in part or whether an alternate form of relief is being offered. In reaching a decision, the ~~administrator~~ **supervisor** may consider information provided at the grievance conference and any other relevant documents or information the ~~administrator~~ **supervisor** believes will help resolve the grievance.
4. The ~~administrator~~ **supervisor** shall forward to the OHR or designee:
  - a. All documents submitted by the employee at Level One, if applicable.
  - b. The written response issued at Level One, if any, and any attachments; and
  - c. All other documents relied upon by the Level One ~~administrator~~ **supervisor** in reaching the Level One decision.

Level Two

*Vice President*

DATE ISSUED: 4/10/2025  
LDU 2025.03  
DGBA(LOCAL)-X

Adopted:  
3/25/2025

5 of 8

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

If the employee did not receive the relief requested at Level One or if the time for a response from the Level One ~~administrator~~ **super-supervisor** has expired, the employee may request a conference with the vice president or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the College District, within 10 ~~calendar~~ **business** days of the date of the written Level One response or, if no response was received, within 15 ~~calendar~~ **business** days of the Level One response deadline.

After receiving notice of the appeal, the Level One ~~administrator~~ **supervisor** shall forward to the Level Two administrator:

1. The original complaint form and any attachments;
2. All other documents submitted by the employee at Level One;
3. The written response issued at Level One, if any, and any attachments; and
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Level Two administrator may schedule a conference within 15 ~~calendar~~ **business** days after the appeal notice is filed. The conference shall be limited to the issues and documents presented by the employee at Level One and identified in the Level Two appeal notice. At the conference, the employee may provide information concerning any documents or information made part of the Level One conference. The Level Two administrator may set reasonable time limits for the conference.

The Level Two administrator ~~shall~~ **may** provide the employee a written response within ~~2030~~ **calendar-business** days following the conference or ~~2030~~ **calendar-business** days after the appeal notice is received. In reaching a decision, the Level Two administrator may consider information provided at the Level One conference, information provided at the Level Two conference, and any other relevant documents or information the Level Two administrator believes will help resolve the complaint. **The employee complaint decision of the Vice-President is final and not appealable under this policy.**

*College President* In instances where the respective department does not have a vice president, the employee may present the written complaint to the

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

College President. A complaint concerning the proposed termination of an at-will employee may be presented to the College President if the employee has alleged ~~unlawful~~ retaliation, harassment, or discrimination in the complaint.

If the complaint is not resolved to the employee's satisfaction at Level One, and if the employee's supervisor is a vice president or the employee's respective department does not have a vice president, the employee may present the complaint to the College President. The complaint shall be submitted to the College President not later than 10 ~~calendar~~ **business** days from the date of the decision at Level One. The employee shall provide a clear and concise statement detailing the reason(s) why the Level One decision was not acceptable to the employee.

The College President may consult with the executive director of human resources or designee and ~~shall~~**may**, not later than ~~2030~~ ~~calendar~~ **business** days following receipt of the complaint, issue a written decision, which shall be mailed and/or emailed to the employee. The decision of the College President may grant or deny the remedy being requested by the employee, or offer an alternative resolution. The employee complaint decision of the College President is final and not appealable under this policy.

**Public Comment to  
the Board**

Nothing in this policy precludes an employee who has exhausted the procedures in this policy from addressing the Board of Trustees at the next regular public meeting in accordance with the provision for hearing of citizens. The Board is not required to take any action concerning a grievance but will listen to the employee's concerns. [See BDB]

**Proposed  
Termination of an At-  
Will Employee**

An at-will employee who is proposed for termination may file a complaint concerning the proposed termination directly with the College President, bypassing Level One and Level Two (vice president), if the employee's complaint alleges that the proposed termination constitutes ~~unlawful~~ retaliation, harassment, or discrimination. A complaint concerning the proposed termination of an at-will employee may be presented to the College President within three working days from the date the employee was informed of the proposed termination. The decision of the College President is final and not appealable under this policy.

**Retaliation**

**Neither the Board nor any College District employee shall retaliate against an employee for bringing a concern or complaint.**

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LOCAL)

**Other Grievance  
Provisions**

The College District prohibits retaliation against an employee who files a complaint or grievance under this policy, serves as a witness, or otherwise participates in an investigation. The provisions of the policy do not extend into a due process procedure.

The policy is an internal procedure designed to provide employees with the opportunity to address complaints.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor is it intended to create constitutional due process rights or to require a full evidentiary hearing or “mini-trial” at any level.

~~Complaints arising out of an event or a series of related events that occurred prior to the filing of the complaint shall be addressed in one complaint.~~

~~Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.~~

Employees who have identical grievances and who seek the same remedy may jointly file a group grievance. A group grievance must be signed by all of the employees in a group and be presented by a representative of the group. The grievance must identify the person acting as the representative of the group. The group representative may be one of the employees in the group or some other person or entity chosen by the group. Any communications regarding the grievance between the College District and the employee group and any decision regarding disposition of the grievance shall be made through the group representative only.

**Nothing in this policy shall be construed to prevent the College District from addressing employee conduct that violates College policies, procedures, or standards of conduct.**

Malicious, false, or frivolous complaints are a violation of the College District’s standards of conduct and may be cause for corrective action.

Any supervisor or management official with responsibility for hearing a grievance at Level One or Level Two who knowingly fails to conduct a conference with the grievant within the time period prescribed by this policy may be subject to disciplinary action **up to and including termination.**

# DGBA (Local) Employee Complaint Form



Employee Name: \_\_\_\_\_

Employee EID/A#: \_\_\_\_\_

Employee Title: \_\_\_\_\_

Department: \_\_\_\_\_ Phone: \_\_\_\_\_

Employee's Immediate Supervisor: \_\_\_\_\_

Date of Event or Action: \_\_\_\_\_

*Give specific details for each section and continue on reverse side if necessary.*

*Employee to send via email, or hand delivery to the Office of Human Resources.*

**1. Provide a clear explanation of the decision or circumstances causing your complaint (Give specific factual details).**

---

---

---

**2. If you will be represented in voicing your complaint, please provide name and contact information for your representative.**

---

---

---

**3. Provide a description of the relief you are seeking.**

---

---

---

Employee Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Receiving Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Title of Receiving Party: \_\_\_\_\_





## Level I Employee Complaint Grievance Appeal Notice

To file an appeal of a Level I decision in accordance with Board Policy DGBA (LOCAL), please fill out this form completely and submit via email to [HR\\_Employeerelations@southtexascollege.edu](mailto:HR_Employeerelations@southtexascollege.edu) or by hand delivery to the Office of Human Resources (OHR), 2501 W. Pecan Blvd. McAllen, TX 78501. All formal complaints/grievances will be heard in accordance with DGBA (LEGAL and LOCAL).

**Date of Appeal:** \_\_\_\_\_

**Employee Name:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Employee Workday ID or (A#):** \_\_\_\_\_

**Position:** \_\_\_\_\_

**Campus/Department:** \_\_\_\_\_

**Direct Supervisor's Name:** \_\_\_\_\_

1. List the date of the Level I Conference Meeting.
2. State the Name of the Level I Decision Maker (Supervisor or Designee).
3. List the date of the Level I written response/decision letter.
4. Explain specifically why you disagree or are not satisfied with the outcome of the Level I Conference.

---

---

---

---

---

---

---

---



**5. Attach a copy of the following:**

- Employee Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LEGAL)

**United States  
Constitution**

A college district shall take no action abridging the freedom of speech or the right of the people to petition the board for redress of grievances. *U.S. Const. Amend. I, XIV*

The board may confine its meetings to specified subject matter and may hold nonpublic sessions to transact business. But when the board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. *Rosenberger v. Rector & Visitors of Univ. of Virginia*, 515 U.S. 819, 828 (1995); *City of Madison v. Wis. Emp. Rel. Comm'n*, 429 U.S. 167, 174 (1976); *Pickering v. Bd. of Educ.*, 391 U.S. 563, 568 (1968) [See DG]

**Texas Constitution**

The citizens, including college district employees, shall have the right, in a peaceable manner, to assemble together for their common good and apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address or remonstrance. *Tex. Const. Art. I, Sec. 27*

There is no requirement that the board negotiate or even respond to complaints. However, the board must stop, look, and listen and must consider the petition, address, or remonstrance. *Prof'l Ass'n of College Educators v. El Paso County Cmty District*, 678 S.W.2d 94 (Tex. App.—El Paso 1984, writ ref'd n.r.e.)

**Federal Laws**

Section 504

A recipient of federal financial assistance that employs 15 or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by 34 C.F.R. Part 104 (Section 504 of the Rehabilitation Act of 1973 regulations). Such procedures need not be established with respect to complaints from applicants for employment. *34 C.F.R. 104.7(b), .11*

Americans with  
Disabilities Act

A public entity, including a college district, that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the 28 C.F.R. Part 35 (Americans with Disabilities Act regulations). *28 C.F.R. 35.107(b), .140*

Title IX

Each recipient of federal financial assistance shall adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging any action prohibited by 34 C.F.R. Part 106 (Title IX of the Education Amendments of 1972 regulations). *34 C.F.R. 106.8(b); North Haven Bd of Educ. v. Bell*, 456 U.S. 512 (1982)



PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LEGAL)

**State Laws**

Wages, Hours,  
Conditions of Work

Government Code Chapter 617 (prohibition against collective bargaining and strikes, see DGA) does not impair the right of employees to present grievances concerning their wages, hours of employment, or conditions of work, either individually or through a representative that does not claim the right to strike. *Gov't Code 617.005*

The term "conditions of work" should be construed broadly to include any area of wages, hours, or conditions of employment, and any other matter that is appropriate for communications from employees to employer concerning an aspect of their relationship. *Atty. Gen. Op. JM-177 (1984)*; *Corpus Christi Fed. of Teachers v. Corpus Christi Indep. Sch. Dist.*, 572 S.W.2d 663 (Tex. 1978)

The statute protects grievances presented individually or individual grievances presented collectively. *Lubbock Prof'l Firefighters v. City of Lubbock*, 742 S.W.2d 413 (Tex. App.—Amarillo 1987, writ ref'd n.r.e.)

Representative

A college district cannot deny an employee's representative, including an attorney, the right to represent the employee at any stage of the grievance procedure, so long as the employee designates the representative and the representative does not claim the right to strike. *Lubbock Prof'l Firefighters v. City of Lubbock*, 742 S.W.2d 413 (Tex. App.—Amarillo 1987, writ ref'd n.r.e.); *Sayre v. Mullins*, 681 S.W.2d 25 (Tex. 1984)

A college district should meet with employees or their designated representatives at reasonable times and places to hear grievances concerning wages, hours of work, and conditions of work. The right to present grievances is satisfied if employees have access to those in a position of authority to air their grievances. However, that authority is under no legal compulsion to take action to rectify the matter. *Att'y. Gen. Op. H-422 (1974)*; *Corpus Christi Indep. Sch. Dist v. Padilla*, 709 S.W.2d 700 (Tex. App.—Corpus Christi 1986, no writ)

**Open Meetings Act**

Government Code Chapter 551 does not require a governmental body, including a college district board of trustees, to conduct an open meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee or to hear a complaint or charge against an employee. This section does not apply if the employee who is the subject of the deliberation or hearing requests a public hearing. *Gov't Code 551.074*  
[See BDA]

Closed Meeting

A board may conduct a closed meeting on an employee complaint to the extent required or provided by law. *Gov't Code 551.082*  
[See BDA]

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE GRIEVANCES

DGBA  
(LEGAL)

**Whistleblower  
Complaints**

Before bringing suit, a public employee, including a college district employee, must initiate action under the grievance or appeal procedures of the employing state or local governmental entity relating to suspension or termination of employment or adverse personnel action before suing under Government Code Chapter 554 (whistle-blowers). *Gov't Code 554.006* [See DG]

## **Review and Recommend Action to Adopt New Personnel Policies and Retire Current Policies**

<b>Purpose</b>	To adopt the new Personnel Policies and retire the current policies to align with the Texas Association of School Boards (TASB) policy manual.
<b>Justification</b>	<p>To provide the new policies in the TASB standardized format. In addition to the policies and, as applicable, internal procedures are currently in place and will continue to be enhanced.</p> <p>The new and retired policies have been reviewed by staff, administrators, TASB staff, STC Legal Counsel, and the Vice President for Finance and Administrative Services.</p>
<b>Enclosed Documents</b>	<p>Appendix A – List of New and Retired Policies</p> <p>Appendix B – New Policies</p> <p>Appendix C – Title IX Complaint Resolution Process Handbook for Students and Employees</p>
<b>Staff Resource</b>	<p>Mary Del Paz, Vice President for Finance and Administrative Services</p> <p>Dr. Zachary Suarez, Executive Director of Human Resources and Talent Development</p> <p>Todd Nelson, Contracts and Regulatory Resources Officer-Title IX &amp; 504 Coordinator</p>
<b>Additional Information</b>	Information for this item was not available at the time of the June 10, 2025 Committee meeting, and is presented to the Board without a Committee recommendation.
<b>Recommendation</b>	<p><b>It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:</b></p> <p>The Board of Trustees of South Texas College approves and authorizes to adopt the new Personnel Policies and retire the current policies as presented, and which supersedes any previously adopted Board policy. as presented.</p> <p><b>Approval Recommended:</b></p> <p><b>Dr. Ricardo J. Solis</b> <b>President</b></p>

### **Appendix A**

#### List of New and Retired Policies

<b>Adopt New Policy</b>	<b>Retired Policy(ies)</b>	<b>Retired Policy Content Transition</b>
A-1. DIAA (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation: Sex and Sexual Violence	A-2. Policy # 4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	All of the content from the retired policy is included in either a procedure, handbook, manual, etc.
B-1. DIAB (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics	B-2. Policy 4206: Discrimination in Employment Prohibited B-3. Policy 4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	All of the content from the retired policy is included in either a procedure, handbook, manual, etc.
C-1. FFDA (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation: Sex and Sexual Violence	C-2. Policy 4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	All of the content from the retired policy is included in either a procedure, handbook, manual, etc.
D-1. FFDB (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics	D-2. Policy 4206: Discrimination in Employment Prohibited D-3. Policy 4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	All of the content from the retired policy is included in either a procedure, handbook, manual, etc.

### **Appendix B**

New policies follow in the packet.

	<p><b>Note:</b> This policy addresses complaints of sex and gender discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting employees. For additional legally referenced material relating to discrimination, harassment, and retaliation, see DAA(LEGAL). For sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting students, see FFDA.</p>
<b>Statement of Nondiscrimination</b>	The College District prohibits discrimination, including harassment, against any employee on the basis of sex or gender. Retaliation, as defined by this policy and by applicable law, against anyone involved in the complaint process is a violation of College District policy and is prohibited.
<b>Definitions</b>	Solely for purposes of this policy, the term “employee” includes former employees, applicants for employment, and unpaid interns.
Employee	
Discrimination	Discrimination against an employee is defined as conduct directed at an employee on the basis of sex or gender that adversely affects the employee’s employment. If the individual is a student and an employee of the College District, under this policy, the individual will be treated as a student under policy FFDA.
Sexual Harassment	<p>Sexual harassment of a College District employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:</p> <ol style="list-style-type: none"> <li>1. Submission to the conduct is either explicitly or implicitly a condition of an employee’s employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or</li> <li>2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee’s work performance or creates an intimidating, threatening, hostile, or offensive work environment.</li> </ol> <p>“Sexual harassment” is defined differently under state law and the federal Title IX regulation. Conduct which meets the definition of sexual harassment under either definition is prohibited by this policy. [See FFDA(LEGAL) for the applicable definitions.]</p>
Sexual Exploitation	Sexual exploitation is conduct where an individual takes nonconsensual or abusive sexual advantage of another for the individual’s

own benefit, or to benefit anyone other than the one being exploited.

Sexual exploitation that meets the definition of sexual harassment under the Title IX regulations will be addressed pursuant to that definition and associated procedures.

*Examples*

Examples of sexual exploitation may include, but are not limited to, engaging in voyeurism, human trafficking, sex trafficking, forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to nonconsenting individuals or groups; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted disease (STD) to another.

*Sexual Violence*

Sexual violence is a form of sexual harassment and includes sexual assault as defined in law. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.

*Dating Violence*

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

*Domestic Violence*

"Domestic violence" means violence committed by:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- Any other member of the victim's family as defined by state law;
- Any other current or former member of the victim's household as defined by state law;
- A person in a dating relationship with the victim as defined by state law; or
- Any other person who acts against the victim in violation of the family violence laws of this state or the jurisdiction where the conduct occurs.

*Stalking*

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

1. “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

*Examples*

Examples of sexual harassment of an employee may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault as defined by law; sexual battery; sexual coercion; and other sexually motivated conduct, communication, or contact.

Examples may also include forms of dating violence, domestic violence, or stalking, such as physical or sexual assaults; name-calling; put-downs; or threats directed at the employee, the employee's family members, or members of the employee's household; destroying the employee's property; threatening to commit suicide or homicide if the employee ends the relationship; tracking the employee; attempting to isolate the employee from friends and family; threatening an employee's spouse or partner; or encouraging others to engage in these behaviors.

Prohibited Conduct

In this policy, the term “prohibited conduct” includes discrimination, sexual harassment, gender-based harassment, sexual violence including sexual assault, sexual exploitation, dating violence, domestic violence, stalking, and retaliation as described by this policy. Prohibited conduct which meets the definition of sexual harassment under Title IX is subject to the procedures set forth in this policy and in accordance with the College District's *Title IX Complaint Resolution Process Handbook for Students and Employees* (Procedures) – Process A. Grievance procedures with respect to all other forms of prohibited conduct shall be conducted in accordance with the College District's *Title IX Complaint Resolution Process Handbook for Students and Employees* (Procedures) – Process B.

Complainant

In this policy, the term “complainant” refers to an employee who is alleged to have experienced prohibited conduct.

Respondent	In this policy, the term “respondent” refers to a person who is alleged to have committed prohibited conduct.
Confidential Employee	A “confidential employee” is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source. The College District’s Ombuds; and Counselors are confidential employees.
<b>Reporting Procedures</b>	<p>The College District mandates employees who are not confidential employees, to report incidents of sexual harassment, sexual assault, dating violence, and stalking. Employees may report prohibited conduct through the College District’s Title IX website.<sup>1</sup></p> <p>A victim of prohibited conduct has the right to report the incident to the College District and to receive a prompt and equitable resolution from the report.</p> <p>An employee who believes that the employee has experienced prohibited conduct may report the alleged acts to the employee’s immediate supervisor, to the Title IX coordinator, or to the Executive Director of Human Resources or designee.</p> <p>Reports against the Title IX coordinator may be directed to the College President. A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation. An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct.</p> <p>Alternatively, the employee may report electronically through the College District’s website. Although a report may be submitted anonymously, an anonymous report may impair the College District’s ability to investigate and address the prohibited conduct.</p> <p>A victim of prohibited conduct which also constitutes a crime has the right to report the crime to law enforcement and to be assisted by the College District in reporting the crime to law enforcement, or to decline to report the crime to law enforcement.</p> <p>The College District encourages victims of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.</p>
Reporting by Other Employees	Any employee who believes that another employee has experienced prohibited conduct, regardless of when or where the incident occurred, shall immediately report the alleged acts to the Title IX coordinator. Additionally, the employee may report to the Executive Director of Human Resources or designee.



<b>Exceptions</b>	
Disclosure at Event	A person who receives the information solely from a disclosure at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational institution or by an employee organization affiliated with the institution is not required to report the prohibited conduct unless the person has authority to institute corrective measures on behalf of the College District.
Employee Subject to Confidentiality Rules	Absent the employee's consent, or unless required by law, a confidential employee shall only be required to disclose the type of incident reported and may not disclose information that would violate the employee's expectation of privacy. If multiple confidential employees receive information about the same alleged incident, then only one report disclosing the type of incident must be submitted.
Peace Officer	A College District peace officer who receives information regarding an incident from an employee who chooses to complete a pseudonym form as described by law shall only be required to disclose the type of incident reported and may not disclose the employee's name, phone number, address, or other information that may directly or indirectly reveal the employee's identity.
Prior Report	A person who either learns of an incident of prohibited conduct during the course of the College District's review or process, or confirms with the person or office overseeing the review or process that the incident has been previously reported, is not required to report the prohibited conduct.
<b>Title IX Coordinator</b>	Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, and related state and federal laws:

Title IX Coordinator: Todd C. Nelson

Address: 3201 Pecan Blvd, McAllen, TX 78501

Telephone: 956-872-4664

Email: [titleIX@southtexascollege.edu](mailto:titleIX@southtexascollege.edu)

Webpage: <https://www.southtexascollege.edu/title-ix/>

<b>Responsible Employees</b>	All employees, with the exception of confidential employees, are designated as responsible employees for purposes of compliance with Title IX. The Title IX coordinator is authorized to institute remedial measures upon receiving a complaint under the Title IX regulation.
<b>Timely Reporting</b>	A failure to immediately report prohibited conduct may impair the College District's ability to investigate and address the conduct.
<b>Consolidate Reports</b>	When the allegations underlying two or more complaints arise out of the same facts or circumstances, the College District may consolidate the reports.
<b>Advisor</b>	Each party to a complaint may be assisted by an advisor of the party's choice who may participate in the proceedings in a manner consistent with College District Procedures and applicable law.
<b>Conflict of Interest Prohibited</b>	No person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall have a conflict of interest or bias.
<b>Training</b>	A person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall receive training as required by law and College District Procedures.
<b>Days</b>	"Days" shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
<b>Extension of Timelines</b>	Timelines established by this policy and associated Procedures may be subject to a limited extension if the Title IX coordinator finds that good cause, as defined in this policy and College District regulations, exists. The College District shall promptly provide written notice to the parties of an extension and the reason for the extension. A limited delay determined to be necessary so as not to impede a criminal or regulatory investigation shall constitute good cause for an extension of timelines established by this policy and associated procedures.
<b>Investigation of the Report</b>	The College District may request, but shall not insist upon, a written report of an incident of prohibited conduct. If a report is made orally, the Title IX coordinator or designee shall reduce the report to written form.
Initial Assessment	Upon receipt or notice of a report, the Title IX coordinator shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the Title IX coordinator shall promptly offer supportive measures as defined in this policy to

the complainant. The Title IX coordinator shall explain to the complainant the process for filing a formal complaint which will initiate the formal grievance process against the respondent and shall assess any decision by the complainant not to file a formal complaint and decide whether to sign a formal complaint if the complainant chooses not to sign.

After receipt of a formal complaint and, if necessary, the completion of a preliminary inquiry to determine whether the incident, if proven, would constitute prohibited conduct, the Title IX coordinator will initiate at least one of three responses:

1. Offering supportive measures as appropriate;
2. An informal resolution; and/or
3. A formal resolution process, including an investigation and a hearing.

If the Title IX coordinator determines that the allegations contained in a report or in a formal complaint, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules, regulations or policies, the Title IX coordinator shall refer the report to the responsible party for consideration under the appropriate policy.

*Request Not to Investigate*

The complainant may request that the College District not to initiate a grievance procedure against the respondent even if the allegations would, if proven, constitute prohibited conduct. If the complainant requests that a grievance procedure not be initiated, in deciding whether to initiate the grievance procedure notwithstanding the complainant's request, the College District must consider the factors described by law and any other factors the College District considers relevant.

The College District shall promptly notify the complainant of the decision regarding whether it will initiate a grievance procedure. Whether the College District decides to initiate a grievance procedure against the respondent or not, the College District shall take reasonable steps to protect the health and safety of the College District community.

Formal Complaint

A formal complaint refers to a document alleging prohibited conduct against a respondent and requesting the initiation of a grievance procedure including an investigation of the allegations. To be considered a formal complaint under Title IX, the complainant or the Title IX coordinator must sign the document.

Notice to Parties	<p>If a conforming formal complaint is received, the Title IX coordinator shall send a notice to the parties, which must describe the allegations and the formal and informal options for resolution of the complaint. The notice must state that the respondent is presumed not responsible until a determination regarding responsibility is made. The notice must also include information regarding the option to select an advisor, the opportunity to inspect and review evidence, and the prohibition on knowingly making false statements or submitting false information during the investigation and any ensuing proceedings.</p> <p>If the allegations are subsequently amended, the College District shall provide an updated notice reflecting the new allegations.</p>
Informal Resolution	<p>If the parties voluntarily agree in writing to participate in informal resolution of the formal complaint, the Title IX coordinator shall determine within three days of receipt of the written agreement whether informal resolution is appropriate in view of the allegations contained in the complaint. If the Title IX coordinator determines that informal resolution is appropriate, then the Title IX coordinator or designee may facilitate an informal resolution. If the Title IX coordinator determines that an informal resolution is not appropriate, then the complaint will be subject to the formal resolution process through the grievance procedure contained in this policy. Without limitation, an informal resolution is not appropriate.</p>
Formal Resolution	<p>If the formal complaint is not subject to the informal resolution process, the Title IX coordinator shall authorize or undertake an investigation and proceed with the grievance procedure as set forth in this policy and pursuant to applicable law.</p>
Supportive Measures	<p>If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending or whether a formal complaint has been received, the Title IX coordinator shall promptly provide supportive measures intended to prevent prohibited conduct, protect the safety of the parties and others, and protect the parties from retaliation prior to the completion of the investigation, if any, and the grievance procedure. Examples of possible supportive measures include work accommodations, such as leaves of absence or administrative leave; mutual restrictions on contact between the parties; counseling and health services; and increased security and monitoring of certain areas of the campus.</p>
College District Investigation	<p>The grievance procedure, including the investigation component may be conducted by the Title IX coordinator or a designee or by a third party designated by the College District, such as an attorney. When appropriate, the supervisor shall be involved in or informed of the investigation.</p>

The investigation component may consist of personal interviews with the complainant, the respondent, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information, sources and documents related to the allegations.

The parties shall be provided an equal opportunity to identify witnesses and evidence and to inspect and review any directly related evidence obtained by the College District so that the parties may meaningfully respond during the investigation process. The parties who are expected to participate in an investigative interview or other meeting shall be provided written notice in enough time to prepare to participate.

At least ten days prior to the completion of the investigation report, the College District must send each party and, if applicable, the party's advisor all relevant and directly related evidence which is subject to inspection and review. The parties may submit a written response for consideration by the investigator.

Criminal or  
Regulatory  
Investigation

If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation and the overall grievance procedure only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation. Any delay under this provision shall constitute good cause for an extension of timelines established by this policy and associated Procedures.

### **Concluding the Investigation**

The investigation shall be completed within a reasonable time, not to exceed 60 days, as defined in Procedures, from the date of the report. The draft investigation report, along with all relevant and directly related evidence, shall be reviewed by the Title IX coordinator.

The investigator shall prepare a written report of the investigation. The investigation report shall be filed with the Title IX coordinator within five days following the completion of the investigation. The draft investigation report, along with all relevant and directly related evidence, shall be reviewed by the Title IX coordinator.

Notification of the  
Report

The Title IX coordinator shall provide the investigation report, within the extent permitted by law, to the complainant and the respondent promptly following receipt. The parties shall be given ten days to respond to the report.

Within ten days following receipt of responses from all of the parties or following the expiration of the parties' ten-day response period, whichever occurs first, the investigator will review the responses if any, update the report if necessary, and present the final investigation report to the Title IX coordinator. The Title IX coordinator will select a qualified Hearing Decision-Maker ("HDM") provide the parties and the HDM with the final investigation report. Neither the Title IX coordinator nor the investigator shall serve as the HDM.

**College District  
Action**

The HDM or designee shall summon the parties for a hearing to be held within a reasonable time, but no fewer than ten days and no more than fifteen days. The hearing shall be conducted in accordance with law and College District Procedures.

After the hearing, the HDM or designee shall determine whether the respondent engaged in each individual allegation of prohibited conduct based on a preponderance of evidence standard. If the HDM determines that the respondent engaged in any prohibited conduct, the HDM shall make written recommendations to the College District with respect to the appropriate disciplinary or corrective action. In making the determination, the HDM or designee shall evaluate all relevant evidence objectively and shall not make credibility assessments based on a person's status as the complainant, the respondent, or a witness. The HDM shall create a written determination regarding responsibility and, if applicable, the HDM shall create written recommendations of appropriate disciplinary or corrective action in accordance with law and College District Procedures within ten days following the hearing and submit the determination to the parties simultaneously.

**Disciplinary or  
Corrective Action**

If the HDM or designee determines that prohibited conduct occurred, the College District shall consider the HDM's recommendations as to appropriate disciplinary or corrective action and promptly respond by taking such appropriate disciplinary or corrective action which the College District determines is reasonably calculated to address the conduct.

The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

Examples of disciplinary or corrective action may include:

- Implementing the disciplinary measures described in DH and the DM series for employees or FM for students;
- Providing a training program for those involved in the complaint;

- Providing a comprehensive education program for the College District community;
- Providing counseling for the victim and the student who engaged in prohibited conduct;
- Permitting the victim or student engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;
- Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
- Involving employees in efforts to identify problems and improve the College District climate;
- Increasing staff monitoring of areas where prohibited conduct has occurred;
- Reaffirming the College District's policy against discrimination and harassment; and
- Taking other actions described in College District regulations.

*Exception*

The College District shall minimize attempts to require a complainant to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner. In no event may an employee be required to resolve a complaint of sexual harassment directly with the student.

*Improper Conduct*

If the HDM or designee determines that improper conduct occurred that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.

**Dismissal of Complaint**

**Mandatory Dismissal**

An allegation presented as a formal complaint under Title IX is subject to the mandatory dismissal procedures under law as determined by the Title IX coordinator.

**Permissive Dismissal**

Any formal complaint may be dismissed at any time on request of a complainant. The Title IX coordinator must first assess the request in accordance with this policy at Request Not to Investigate, above.

A formal complaint may also be dismissed if specific circumstances prevent the College District from gathering evidence sufficient to reach a determination as to the complaint or allegations.

Notice of Dismissal	Upon dismissal of a complaint, the Title IX coordinator shall provide the parties written notice of the dismissal.
<b>Confidentiality</b>	To the greatest extent possible, consistent with law, the College District shall respect the privacy of the complainant, the respondent, and any person who makes a report or serves as a witness. Limited disclosures may be necessary to carry out the purposes of this policy and associated regulations and to comply with applicable law.
<b>Retaliation</b>	<p>The College District prohibits retaliation against i) any person for the purpose of interfering with a right or privilege under this policy; (ii) the complainant; or (iii) a person who, in good faith, makes a report or complaint, serves as a witness, or otherwise participates or refuses to participate in an investigation, proceeding, or hearing under this policy. This prohibition does not apply to discipline of a person who perpetrated or assisted in the perpetration of the prohibited conduct.</p> <p>A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy FFDA, as appropriate.</p>
Examples	Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.
<b>Failure to Report and False Claims</b>	An employee who fails to make a required report, an employee or student who intentionally makes a false claim or offers a false statement, or an employee who refuses to cooperate with a College District investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.
<b>Appeal</b>	With respect to the decision made by the HDM, any party may file a request for appeal in writing to the Title IX coordinator within five days of the delivery of the written determination. A qualified Appeal Decision-Maker shall be designated by the Title IX coordinator and the request for appeal shall be provided to the Appeal Decision-Maker to determine if the request meets the grounds for appeal.
Discipline or Corrective Action	Appeals of the HDM's decision concerning prohibited conduct are limited to the following circumstances:
<i>Employees</i>	<ol style="list-style-type: none"><li>1. Procedural irregularity that affected the outcome of the matter;</li><li>2. New evidence that was not reasonably available at the time of the written determination or when the dismissal was made that could affect the outcome of the matter; or</li></ol>
Suspension Without Pay or Termination of Contract Employees	



3. The Title IX coordinator, investigator(s), or the HDM had a conflict of interest or bias for or against complainants or respondents generally, or against a specific party, that affected the outcome of the matter.

If any of the grounds in the request for appeal do not meet those listed above, the request must be denied by the Appeal Decision-Maker. The parties shall be notified in writing of the denial and the rationale.

If any of the grounds as stated in the request for appeal would meet the grounds for appeal, the Appeal Decision-Maker will notify the parties, the Title IX coordinator and, if appropriate, the investigators, and the HDM. The appeal process shall be conducted in accordance with law and College District Procedures.

If the HDM or designee determines that a contract employee committed prohibited conduct and in the written opinion of the College District the prohibited conduct that warrants suspension without pay or termination mid-contract, the Executive Director of Human Resources shall inform the employee in writing of the determination, and a hearing shall be scheduled in accordance with DMAA.

Other Action	If the HDM or designee determines that the employee committed prohibited conduct that in the written opinion of the College District warrants other discipline or corrective action, the Executive Director of Human Resources or designee shall inform the employee that the employee may appeal the determination within ten days in accordance with DGBA beginning at Level Two.
<i>Students</i> Suspension, Expulsion, and Other Actions	If the HDM or designee determines that a student committed prohibited conduct that, in the written opinion of the College District warrants a suspension, expulsion, or other action, the college will follow the disciplinary or corrective action procedures outlined in College District Policy. [See FFDA (Local)]
Other Appeals	All other appeals related to this policy may be submitted through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]
Complaints Filed with State or Federal Agencies	A party shall be informed of any right to file a complaint with appropriate state or federal agencies.
<b>Records Retention</b>	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]

**Access to Policy,  
Procedures, and  
Related Materials**

Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed to applicants for admission and employment and annually to College District employees, students, and parents or guardians of dual credit students. This will be done in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, procedures, and related materials and any materials used to train a person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator shall also be prominently published on the College District's website on a dedicated page accessible through a clear link on the homepage, taking into account applicable legal requirements.

Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to an employee who makes a report.

---

<sup>1</sup> "Consent" is defined at [Title IX Procedures](#), page 29.

<sup>1</sup> Insert link to STC Title IX Procedures

<sup>1</sup> Insert link to TIX website.

<sup>1</sup> [Reports, Complaints and Appeals | South Texas College](#)

<sup>1</sup> Title IX Coordinator email: [\[C T9 \(students\) email\]](#)

<sup>1</sup> Title IX/Sexual Misconduct webpage: [\[C T9 \(students\) webpage\]](#)<sup>1</sup> Insert link to TIX website.

---

**Note:** This policy addresses complaints of discrimination, harassment, and retaliation based on race, color, national origin, religion, age, or disability targeting employees. For legally referenced material relating to this subject matter, see DAA(LEGAL). For discrimination, harassment, and retaliation of students based on race, color, national origin, religion, age, or disability, see FFDB.

---

**Statement of  
Nondiscrimination**

The College District prohibits discrimination, including harassment, against any employee on the basis of race, color, national origin, religion, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy.

**Discrimination**

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, national origin, religion, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

**Harassment**

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

**Examples**

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

**Retaliation**

The College District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

	<p>An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline.</p>								
<b>Examples</b>	<p>Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.</p>								
<b>Prohibited Conduct</b>	<p>In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>								
<b>Reporting Procedures</b>	<p>An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her immediate supervisor.</p> <p>Alternatively, the employee may report the alleged acts to one of the College District officials below.</p> <p>For the purposes of this policy, College District officials are the ADA/Section 504 coordinator and the College President.</p>								
<b>Definition of College District Officials</b> ADA / Section 504 Coordinator	<p>The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:</p> <table><tr><td>Name:</td><td>Todd C. Nelson</td></tr><tr><td>Position:</td><td>Contracts and Regulatory Resources Officer-Title IX &amp; 504 Coordinator</td></tr><tr><td>Address:</td><td>3201 W. Pecan Blvd. McAllen, TX 78501</td></tr><tr><td>Telephone:</td><td>956-872-4664</td></tr></table>	Name:	Todd C. Nelson	Position:	Contracts and Regulatory Resources Officer-Title IX & 504 Coordinator	Address:	3201 W. Pecan Blvd. McAllen, TX 78501	Telephone:	956-872-4664
Name:	Todd C. Nelson								
Position:	Contracts and Regulatory Resources Officer-Title IX & 504 Coordinator								
Address:	3201 W. Pecan Blvd. McAllen, TX 78501								
Telephone:	956-872-4664								
<b>Other Anti-discrimination Laws</b>	<p>The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.</p>								
<b>Alternative Reporting Procedures</b>	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator, may be directed to the College President or designee.</p>								

	<p>A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
<b>Timely Reporting</b>	<p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct.</p>
<b>Notice of Report</b>	<p>Any College District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.</p>
<b>Investigation of the Report</b>	<p>The College District may request, but shall not insist upon, a written report. If a report is made orally, the College District official shall reduce the report to written form.</p> <p>Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.</p> <p>If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the College District official shall refer the complaint for consideration under the appropriate policy.</p> <p>If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.</p> <p>The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. When appropriate, the supervisor shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
<b>Concluding the Investigation</b>	<p>Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p>

	<p>The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.</p>
<b>College District Action</b>	<p>If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p>
<b>Confidentiality</b>	<p>To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
<b>Appeal</b>	<p>A party who is dissatisfied with the outcome of the investigation may appeal through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]</p> <p>The party may have a right to file a complaint with appropriate state or federal agencies.</p>
<b>Records Retention</b>	<p>Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]</p>
<b>Access to Policy, Procedures, and Related Materials</b>	<p>Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees and students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to an employee who makes a report.</p>

---

**Note:** This policy addresses complaints of sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting students. For additional legally referenced material relating to discrimination, harassment, and retaliation, see FA(LEGAL) and FAA(LEGAL). For sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting employees, see DIAA.

---

**Statement of  
Nondiscrimination**

The College District prohibits discrimination, including harassment, against any student on the basis of sex or gender. Retaliation, as defined by this policy and by applicable law, against anyone involved in the complaint process is a violation of College District policy and is prohibited.

**Definitions**

Discrimination

Discrimination against a student is defined as conduct directed at a student on the basis of sex or gender that adversely affects the student. If the individual is a student and an employee of the College District, the individual will be treated as a student under this policy.

Sexual Harassment  
*By an Employee*

Sexual harassment of a student by a College District employee includes unwelcome sexual advances<sup>1</sup>; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A College District employee causes the student to believe that the student must submit to the conduct to participate in a college program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it limits or denies the student's ability to participate in or benefit from the College District's educational program or activities.

"Sexual harassment" is defined differently under state law and the federal Title IX regulation. Conduct which meets the definition of sexual harassment under either definition is prohibited by this policy. [See FFDA(LEGAL) for the applicable definitions.]

*By Others*

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it limits or denies a student's ability to participate in or benefit from the College District's educational program or activities.

<i>Sexual Exploitation</i>	<p>Sexual exploitation is conduct where an individual takes nonconsensual or abusive sexual advantage of another for the individual's own benefit, or to benefit anyone other than the one being exploited.</p> <p>Sexual exploitation that meets the definition of sexual harassment under the Title IX regulations will be addressed pursuant to that definition and associated procedures.</p>
<i>Examples</i>	<p>Examples of sexual exploitation may include, but are not limited to, engaging in voyeurism, human trafficking, sex trafficking, forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to nonconsenting individuals or groups; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted disease (STD) to another.</p>
<i>Sexual Violence</i>	<p>Sexual violence is a form of sexual harassment and includes sexual assault as defined in law. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.</p>
<i>Dating Violence</i>	<p>"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.</p>
<i>Domestic Violence</i>	<p>"Domestic violence" means violence committed by:</p> <ul style="list-style-type: none"> <li>• A current or former spouse or intimate partner of the victim;</li> <li>• A person with whom the victim shares a child in common;</li> <li>• A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;</li> <li>• Any other member of the victim's family as defined by state law;</li> <li>• Any other current or former member of the victim's household as defined by state law;</li> <li>• A person in a dating relationship with the victim as defined by state law; or</li> </ul>



- Any other person who acts against the victim in violation of the family violence laws of this state or the jurisdiction where the conduct occurs.

*Stalking*

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

1. “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

*Examples*

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault as defined by law; sexual battery; sexual coercion; and other sexually motivated conduct, communications, or contact.

Examples may also include forms of dating violence, domestic violence, or stalking, such as physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household; destroying the student's property; threatening to commit suicide or homicide if the student ends the relationship; tracking the student; attempting to isolate the student from friends and family; threatening a student's spouse or partner; or encouraging others to engage in these behaviors.

Gender-Based  
Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

Acts of gender-based harassment may be considered sex discrimination or sexual harassment.

<i>Examples</i>	Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.
Prohibited Conduct	In this policy, the term "prohibited conduct" includes sexual harassment, gender-based harassment, sexual violence including sexual assault, sexual exploitation, dating violence, domestic violence, stalking, and retaliation as described by this policy. Prohibited conduct which meets the definition of sexual harassment under Title IX is subject to the procedures set forth in this policy and in accordance with the College District's <i>Title IX Complaint Resolution Process Handbook for Students and Employees</i> ("Procedures") – Process A. Grievance procedures with respect to all other forms of prohibited conduct shall be conducted in accordance with the College District's <i>Title IX Complaint Resolution Process Handbook for Students and Employees</i> (Procedures) – Process B. <sup>2</sup>
Complainant	In this policy, the term "complainant" refers to an applicant for admission, a current student, or any former student, who is alleged to have experienced prohibited conduct while participating, or attempting to participate, in the College District's educational program or activity.
Respondent	In this policy, the term "respondent" refers to a person who is alleged to have committed prohibited conduct.
Confidential Employee	A "confidential employee" is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source. The College District's Ombuds and Counselors are confidential employees.
<b>Reporting Procedures</b>	<p>The College District strongly encourages students to report incidents of sexual harassment, sexual assault, dating violence, and stalking. Students and employees may report prohibited conduct through the College District's Title IX website.<sup>3</sup></p> <p>A victim of prohibited conduct has the right to report the incident to the College District and to receive a prompt and equitable resolution from the report.</p>
Student Report	Any student who believes that the student has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to the

Title IX coordinator. A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation. A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct.

Alternatively, a student may submit the report electronically through the College District's website. Although a report may be submitted anonymously, an anonymous report may impair the College District's ability to investigate and address the prohibited conduct.<sup>4</sup>

A victim of prohibited conduct which also constitutes a crime has the right to report the crime to law enforcement and to be assisted by the College District in reporting the crime to law enforcement or to decline to report the crime to law enforcement.

The College District encourages victims of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

*Exception*

Absent consent or unless required by law, any student designated in administrative regulations as a student advocate to whom another student may speak confidentially concerning prohibited conduct may not disclose any communication made by the other student.

Employee Report

Any College District employee, not designated as a confidential employee, who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct, regardless of when or where the incident occurred, shall immediately notify the Title IX coordinator and shall take any other steps required by this policy.

A report against the College President must also be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

*Exceptions*

Disclosure at  
Event

A person who receives the information solely from a disclosure at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational institution or by a student organization affiliated with the institution is not required to report the prohibited conduct unless the person has the authority to institute corrective measures on behalf of the College District.

Employee  
Subject to  
Confidentiality  
Rules

Absent the student's consent, or unless required by law, a confidential employee shall only be required to disclose the type of incident reported and may not disclose information that would violate

the student's expectation of privacy. If multiple confidential employees receive information about the same alleged incident, then only one report disclosing the type of incident must be submitted.

**Peace Officer** A College District peace officer who receives information regarding an incident from a student who chooses to complete a pseudonym form as described by law shall only be required to disclose the type of incident reported and may not disclose the student's name, phone number, address, or other information that may directly or indirectly reveal the student's identity.

**Prior Report** A person who either learns of an incident of prohibited conduct during the course of the College District's review or process or confirms with the person or office overseeing the review or process that the incident has been previously reported, is not required to report the prohibited conduct.

**Title IX Coordinator** Reports of discrimination based on sex, including sexual harassment and gender-based harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, and related state and federal laws:

Title IX Coordinator: Todd C. Nelson

Address: 3201 W. Pecan Blvd.  
McAllen, TX 78501

Telephone: 956-872-4664

Email: [titleIX@southtexascollege.edu](mailto:titleIX@southtexascollege.edu)<sup>5</sup>

Webpage: <https://www.southtexascollege.edu/title-ix/><sup>6</sup>

**Responsible Employees** All employees, with the exception of confidential employees, are designated as responsible employees for purposes of compliance with Title IX. The Title IX coordinator is authorized to institute remedial measures upon receiving a complaint under the Title IX regulation.

**Timely Reporting** A failure to immediately report prohibited conduct may impair the College District's ability to investigate and address the conduct.

**Consolidate Reports** When the allegations underlying two or more reports arise out of the same facts or circumstances, the College District may consolidate the reports.

**Advisor**

	Each party to the complaint may be assisted by an advisor of the party's choice who may participate in the proceedings in a manner consistent with College District Procedures and applicable law.
<b>Conflict of Interest Prohibited</b>	No person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall have a conflict of interest or bias.
<b>Training</b>	A person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall receive training as required by law and College District Procedures.
<b>Days</b>	"Days" shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
<b>Extension of Timelines</b>	Timelines established by this policy and associated Procedures may be subject to a limited extension if the Title IX coordinator finds that good cause, as defined in this policy and College District regulations, exists. The College District shall promptly provide written notice to the parties of an extension and the reason for the extension.
<b>Investigation of the Report</b>	The College District may request, but shall not require, a written report of an incident of prohibited conduct. If a report is made orally, the Title IX coordinator or designee shall reduce the report to written form.
Initial Assessment	<p>Upon receipt or notice of a report, the Title IX coordinator shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the Title IX coordinator shall promptly offer supportive measures, as defined in this policy, to the complainant. The Title IX coordinator shall explain to the complainant the process for filing a formal complaint which will initiate the formal grievance process and shall assess any decision by the complainant not to file a formal complaint and decide whether to sign a formal complaint if the complainant chooses not to sign.</p> <p>After receipt of a formal complaint and, if necessary, the completion of a preliminary inquiry to determine whether the incident, if proven, would constitute prohibited conduct, the Title IX coordinator will initiate at least one of three responses:</p> <ol style="list-style-type: none"><li>1. Offering supportive measures as appropriate;</li><li>2. An informal resolution; and/or</li><li>3. A formal resolution process, including an investigation and a hearing.</li></ol>

If the Title IX coordinator determines that the allegations contained in a report or in a formal complaint, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules, regulations or policies, the Title IX coordinator shall refer the report to the responsible party for consideration under the appropriate policy.

*Request Not to Investigate*

The complainant may request that the College District not initiate a grievance procedure even if the allegations would, if proven, constitute prohibited conduct. If the complainant requests that a grievance procedure not be initiated, in deciding whether to initiate the grievance procedure notwithstanding the complainant's request, the College District must consider the factors described by law and any other factors the College District considers relevant.

The College District shall promptly notify the complainant of the decision regarding whether it will initiate a grievance procedure. Regardless of whether the College District decides to initiate a grievance procedure or investigate the allegations, the College District shall take reasonable steps to protect the health and safety of the College District community.

Formal Complaint

A formal complaint refers to a document alleging prohibited conduct by a respondent and requests the initiation of a grievance procedure, including an investigation of the allegations. To be considered a formal complaint under Title IX, the complainant or the Title IX coordinator must sign the document.

Notice to Parties

If a conforming formal complaint is received, the Title IX coordinator shall send a notice to the parties which must describe the allegations and the formal and informal options for resolution of the complaint. The notice must state that the respondent is presumed not responsible until a determination regarding responsibility is made. The notice must also include information regarding the option to select an advisor, the opportunity to inspect and review evidence, and the prohibition on knowingly making false statements or submitting false information during the investigation and any ensuing proceedings.

If the allegations are subsequently amended, the College District shall provide an updated notice reflecting the new allegations.

Informal Resolution

If the parties voluntarily agree in writing to participate in informal resolution of the formal complaint, the Title IX coordinator shall determine within three days of receipt of the written agreement whether informal resolution is appropriate in view of the allegations contained in the complaint. If the Title IX coordinator determines that informal resolution is appropriate, then the Title IX coordinator

or designee may facilitate an informal resolution. If the Title IX coordinator determines that an informal resolution is not appropriate, then the complaint will be subject to the formal resolution process through the grievance procedure contained in this policy. Without limitation, an informal resolution is not appropriate in situations in which an employee is alleged to have sexually harassed a student.

**Formal Resolution** If the formal complaint is not subject to the informal resolution process, the Title IX coordinator shall authorize or undertake an investigation and proceed with the grievance procedure as set forth in this policy and pursuant to applicable law.

**Supportive Measures** If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending or whether a formal complaint has been received, the Title IX coordinator shall promptly provide supportive measures intended to address and prevent prohibited conduct, protect the safety of the parties and others, and protect the parties from retaliation prior to the completion of the investigation, if any, and the grievance procedure. Examples of possible supportive measures include academic accommodations, such as extensions of deadlines or other course-related adjustments and modifications of class schedules; housing and dining modifications; temporary removal from an education program or activity in accordance with law; counseling; health services; campus escort services; mutual restrictions on contact between the parties; and increased security and monitoring of certain areas of the campus.

**College District Investigation** The grievance procedure, including the investigation component, may be conducted by the Title IX coordinator or designee or by a third party designated by the College District, such as an attorney.

The investigation component may consist of personal interviews with the complainant, the respondent, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information, sources and documents related to the allegations.

The parties shall be provided an equal opportunity to identify witnesses and evidence and to inspect and review any directly related evidence obtained by the College District so that the parties may meaningfully respond during the investigation process. The parties who are expected to participate in an investigative interview or other meeting shall be provided written notice in enough time to prepare to participate.

At least ten days prior to the completion of the investigation report, the College District must send each party and, if applicable, the party's advisor all relevant and directly related evidence which is

subject to inspection and review. The parties may submit a written response for consideration by the investigator.

Criminal or  
Regulatory  
Investigation

If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation and the overall grievance procedure only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation. Any delay under this provision shall constitute good cause for an extension of timelines established by this policy and associated Procedures.

**Concluding the  
Investigation**

The investigation shall be completed within a reasonable time, not to exceed 60 days, as defined in the Procedures, from the date of the formal complaint, except as may be extended at the Title IX coordinator's reasonable discretion. All parties shall be promptly notified of any changes to the investigation schedule.

The investigator shall prepare a written draft report of the investigation that reflects all relevant and directly related information and evidence and shall present it to the Title IX coordinator within five days following its completion. The draft investigation report, along with all relevant and directly related evidence, shall be reviewed by the Title IX coordinator.

Notification of the  
Report

Following review of the draft investigation report, the Title IX coordinator shall promptly provide the investigation report to the complainant and the respondent, without violating the Family Educational Rights and Privacy Act (FERPA) or other law. The complainant and the respondent shall be given ten days to respond to the report.

Within ten days following receipt of responses from all of the parties or following the expiration of the parties' ten-day response period, whichever occurs first, the investigator will review the responses if any, update the report if necessary, and present the final investigation report to the Title IX coordinator. The Title IX coordinator will select a qualified Hearing Decision-Maker ("HDM") provide the parties and the HDM with the final investigation report. Neither the Title IX coordinator nor the investigator shall serve as the HDM.

**College District  
Action**

The HDM shall summon the parties for a hearing to be held within a reasonable time, but no fewer than ten days and no more than fifteen days, following the parties' receipt of the final investigation



report, unless all parties and the HDM agree to an expedited timeline. The hearing shall be conducted in accordance with law and College District Procedures.

After the hearing, the HDM shall determine whether the respondent engaged in each individual allegation of prohibited conduct based on a preponderance of the evidence standard. If the HDM determines that the respondent engaged in any prohibited conduct, the HDM shall make written recommendations to the College District with respect to the appropriate disciplinary or corrective action. In making the determination, the HDM shall evaluate all relevant evidence objectively and shall not make credibility assessments based on a person's status as the complainant, the respondent, or a witness. The HDM shall create a written determination regarding responsibility and, if applicable, the HDM shall create written recommendations of appropriate disciplinary or corrective action in accordance with law and College District Procedures within ten days following the hearing and submit the determination to the parties simultaneously.

#### Disciplinary or Corrective Action

If the HDM determines that prohibited conduct occurred, the College District shall consider the HDM's recommendations as to appropriate disciplinary or corrective action and promptly respond by taking such appropriate disciplinary or corrective action which the College District determines is reasonably calculated to address the conduct.

Examples of disciplinary or corrective action may include:

- Implementing the disciplinary measures described in FM for students or DH and DM series for employees;
- Providing a training program for those involved in the complaint;
- Providing a comprehensive education program for the College District community;
- Providing counseling for the victim and the party who engaged in prohibited conduct;
- Permitting the victim or student who engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;
- Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
- Involving students in efforts to identify problems and improve the College District climate;

- Increasing staff monitoring of areas where prohibited conduct has occurred;
- Reaffirming the College District's policy against discrimination and harassment; and
- Taking other actions described in College District regulations.

*Exception*

The College District shall minimize attempts to require a complainant to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner. In no event may a student be required to resolve a complaint of sexual harassment by an employee directly with the employee.

*Improper Conduct*

If the HDM or designee determines that improper conduct occurred that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.

**Dismissal of Complaint**

Mandatory Dismissal

An allegation presented as a formal complaint under Title IX is subject to the mandatory dismissal procedures under law as determined by the Title IX coordinator.

Permissive Dismissal

Any formal complaint may be dismissed at any time on request of a complainant. The Title IX coordinator must first assess the request in accordance with this policy at Request Not to Investigate, above.

A formal complaint may also be dismissed if specific circumstances prevent the College District from gathering evidence sufficient to reach a determination as to the complaint or allegations.

Notice of Dismissal

Upon dismissal of a complaint, the Title IX coordinator shall provide the parties with written notice of the dismissal.

**Confidentiality**

To the greatest extent possible, consistent with law, the College District shall respect the privacy of the complainant, the respondent, and any person who makes a report or serves as a witness. Limited disclosures may be necessary to carry out the purposes of this policy and associated regulations and to comply with applicable law.

**Retaliation**

The College District prohibits retaliation against i) any person for the purpose of interfering with a right or privilege under this policy; ii) the complainant; or iii) a person who, in good faith, makes a report or complaint, serves as a witness, or otherwise participates or refuses to participate in an investigation, proceeding, or hearing

under this policy. This prohibition does not apply to discipline of a person who perpetrated or assisted in the perpetration of the prohibited conduct.

A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy DIAA, as appropriate.

**Examples**

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

**Failure to Report and False Claims**

An employee who fails to make a required report, a student or employee who intentionally makes a false claim or offers a false statement, or an employee who refuses to cooperate with a College District investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.

**Appeal**

Discipline or  
Corrective Action

*Students*

Suspension

With respect to the decision made by the HDM, any party may file a request for appeal in writing to the Title IX coordinator within five days of the delivery of the written determination. A qualified Appeal Decision-Maker shall be designated by the Title IX coordinator and the request for appeal shall be provided to the Appeal Decision-Maker to determine if the request meets the grounds for appeal.

Appeals of the HDM's decision concerning prohibited conduct are limited to the following circumstances:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the written determination or when the dismissal was made that could affect the outcome of the matter; or
3. The Title IX coordinator, investigator(s), or the HDM had a conflict of interest or bias for or against complainants or respondents generally, or against a specific party, that affected the outcome of the matter.

If any of the grounds in the request for appeal do not meet those listed above, the request must be denied by the Appeal Decision-Maker. The parties shall be notified in writing of the denial and the rationale.

If any of the grounds as stated in the request for appeal meet the grounds for appeal, the Appeal Decision-Maker will notify the parties, the Title IX coordinator and, if appropriate, the investigators, and the HDM. The appeal process shall be conducted in accordance with law and College District Procedures.

	<p>If the HDM determines that the respondent student committed prohibited conduct and in the written opinion of the College District the prohibited conduct warrants a suspension, the Title IX coordinator shall forward the written opinion, the HDM's determination and all evidence collected during the investigation and hearing to the Dean of Student Affairs for further processing.</p>
Expulsion	<p>If the HDM determines that the student committed prohibited conduct and in the written opinion of the College District the prohibited conduct warrants expulsion, the Title IX coordinator shall forward the written opinion, the HDM's determination and all evidence collected during the investigation and hearing to the Dean of Student Affairs for further processing. The expulsion procedures shall comply with all due process requirements and will include a hearing before the College President or an authorized administrative designee.</p>
Other Action	<p>If the HDM determines that the student committed prohibited conduct that in the written opinion of the College District warrants other discipline or corrective action, the Title IX Coordinator shall inform the student and shall forward the written opinion, the HDM's determination and all evidence collected during the investigation and hearing to the Dean of Student Affairs for further processing.</p>
<i>Employee</i>	<p>If the HDM determines that a contract employee committed prohibited conduct that, in the written opinion of the College District warrants suspension without pay or termination mid-contract, the Director of Human Resources shall inform the contract employee in writing of the College District's determination concerning sanctions, and a hearing shall be scheduled in accordance with DMAA.</p>
Suspension Without Pay or Termination of Contract Employees	
Suspension Without Pay or Termination of At-Will Employees	<p>If the HDM determines that an at-will employee committed prohibited conduct that, in the written opinion of the College District warrants suspension without pay or termination, the Director of Human Resources shall inform the employee in writing of the College District's determination concerning sanctions and that the employee may appeal the College District's determination of sanctions within ten days in accordance with DGBA.</p>
Other Action	<p>If the HDM determines that the employee committed prohibited conduct that in the written opinion of the College District warrants other discipline or corrective action, the Director of Human Resources shall inform the employee that the employee may appeal the College District's determination of sanctions within ten days in accordance with DGBA, beginning at Level Two.</p>
Other Appeals	

All other appeals related to this policy may be submitted through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]

Complaints Filed  
with OCR

A party shall be informed of the party's right to file a complaint with the U.S. Department of Education Office for Civil Rights (OCR).

**Records Retention**

Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]

**Access to Policy,  
Procedures, and  
Related Materials**

Information regarding this policy and any accompanying Procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed to applicants for admission and employment and annually to College District employees, students, and parents or guardians of dual credit students. This will be done in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, Procedures, and related materials and any materials used to train a person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator shall also be prominently published on the College District's website on a dedicated page accessible through a clear link on the homepage, taking into account applicable legal requirements.

Copies of the policy and Procedures shall be readily available at the College District's administrative offices and shall be distributed to a student who makes a report.

---

<sup>1</sup> "Consent" is defined at [Title IX Procedures](#), page 29.

<sup>2</sup> Insert link to STC Title IX Procedures

<sup>3</sup> Insert link to TIX website.

<sup>4</sup> [Reports, Complaints and Appeals | South Texas College](#)

<sup>5</sup> Title IX Coordinator email: [\[C T9 \(students\) email\]](#)

<sup>6</sup> Title IX/Sexual Misconduct webpage: [\[C T9 \(students\) webpage\]](#)

---

**Note:** This policy addresses complaints of discrimination, harassment, and retaliation based on race, color, national origin, religion, age, or disability targeting students. For legally referenced material relating to this subject matter, see FA(LEGAL). For discrimination, harassment, and retaliation targeting employees based on race, color, national origin, religion, age, or disability, see DIAB.

---

**Statement of  
Nondiscrimination**

The College District prohibits discrimination, including harassment, against any student on the basis of race, color, national origin, disability, religion, age, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

**Discrimination**

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, national origin, disability, religion, age, or on any other basis prohibited by law, that adversely affects the student.

**Prohibited  
Harassment**

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Retaliation**

The College District prohibits retaliation by a student or College District employee against a student alleged to have experienced discrimination or harassment or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or otherwise participates in an investigation.

Examples

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

**False Claims**

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation

	regarding discrimination or harassment shall be subject to appropriate disciplinary action.
<b>Prohibited Conduct</b>	In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
<b>Reporting Procedures</b>	Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a responsible employee.
Student Report	
Employee Report	Any College District employee who suspects and any responsible employee who receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate College District official listed in this policy and shall take any other steps required by this policy.
<i>Exceptions</i>	<p>A person who holds a professional license requiring confidentiality, such as a counselor, or who is supervised by such a person shall not be required to disclose a report of prohibited conduct without the student’s consent.</p> <p>A person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source shall not be required to disclose information regarding an incident of prohibited conduct that constitutes personally identifiable information about a student or other information that would indicate the student’s identity without the student’s consent, unless the person is disclosing information as required for inclusion in the College District’s annual security report under the Clery Act. [See GCC]</p>
Responsible Employee	<p>For purposes of this policy, a “responsible employee” is an employee:</p> <ol style="list-style-type: none"><li>1. Who has the authority to remedy prohibited conduct.</li><li>2. Who has been given the duty of reporting incidents of prohibited conduct.</li><li>3. Whom a student reasonably believes has the authority to remedy prohibited conduct or has been given the duty of reporting incidents of prohibited conduct.</li></ol> <p>The College District designates the following persons as responsible employees: any instructor, any administrator, or any College District official defined below.</p>
<b>Definition of College District Officials</b>	For the purposes of this policy, College District officials are the ADA/Section 504 coordinator and the College President.

ADA / Section 504 Coordinator	<p>Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:</p> <p>Name: Todd C. Nelson</p> <p>Position: Contracts and Regulatory Resources Officer-Title IX &amp; 504 Coordinator</p> <p>Address: 3201 W. Pecan Blvd. McAllen, TX 78501</p> <p>Telephone: 956-872-4664</p>
Other Anti-discrimination Laws	<p>The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.</p>
<b>Alternative Reporting Procedures</b>	<p>A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator, may be directed to the College President.</p> <p>A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
<b>Timely Reporting</b>	<p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct.</p>
<b>Investigation of the Report</b>	<p>The College District may request, but shall not require, a written report. If a report is made orally, the College District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the College District official shall refer the complaint for consideration under the appropriate policy.</p>



Interim Action	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College District shall promptly take interim action calculated to address prohibited conduct prior to the completion of the College District's investigation.
College District Investigation	<p>The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. The investigator shall have received appropriate training regarding the issues related to the complaint and the relevant College District's policy and procedures.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation.
<b>Concluding the Investigation</b>	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the College District to delay its investigation, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.</p>
<i>Notification of the Outcome</i>	The College District shall provide written notice of the outcome, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the victim and the person against whom the complaint is filed.
<b>College District Action</b>	If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct, in accordance with College District policy and procedures [see FM and FMA].
Prohibited Conduct	

<i>Corrective Action</i>	Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the College District community, counseling for the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving students in efforts to identify problems and improve the College District climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the College District's policy against discrimination and harassment.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.
<b>Confidentiality</b>	To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
<b>Appeal</b>	A party who is dissatisfied with the outcome of the investigation may appeal through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members] A party shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights.
<b>Records Retention</b>	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]
<b>Access to Policy, Procedures, and Related Materials</b>	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees and students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to a student who makes a report.

## MANUAL OF POLICY

<b>Title</b>	<b>Discrimination in Employment Prohibited</b>	<b>4206</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 1 of 3</b>
<b>Date Approved by Board</b>	<b>Board Minute Order dated June 20, 2018</b>	

### **A. Title VII of the Civil Rights Act of 1964 (Title VII).**

Title VII is a federal law that prohibits employers from discriminating against employees on the basis of sex (including gender identity and sexual orientation), race, color, national origin, and religion. Title VII provides, in pertinent part, that it is an unlawful employment practice for an employer:

- (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or
- (2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin

### **B. Age Discrimination in Employment Act of 1967, as amended (ADEA).**

The ADEA protects individuals who are 40 years of age and older from discrimination in employment that is based on the individual's age. Under this Act, it is unlawful for an employer to discriminate against an employee or applicant for employment who is 40 years of age or older because of the person's age with respect to any term, condition, or privilege of employment, such as hiring, promotion, demotion, firing, pay, or fringe benefits. The ADEA provides, in pertinent part, that it is unlawful for an employer:

- (1) to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age;
- (2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's age; or
- (3) to reduce the wage rate of any employee in order to comply with the ADEA.

## MANUAL OF POLICY

<b>Title</b>	<b>Discrimination in Employment Prohibited</b>	<b>4206</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 2 of 3</b>

### **C. Harassment**

Harassment is discriminatory conduct which includes verbal, physical and visual conduct that is severe or pervasive enough to create a work environment for an employee that a reasonable person would consider intimidating, hostile, offensive or abusive. Harassment is a form of discrimination made unlawful by Title VII when 1) the offensive conduct is directed against an employee based on the employee's sex (including gender identity and sexual orientation), race, color, national origin, and religion; and 2) enduring the offensive conduct becomes a condition of continued employment for the employee. This offensive conduct is also a form of discrimination made unlawful by the ADEA when 1) the offensive conduct is directed against an employee who is 40 years of age or older based on the employee's age; and 2) enduring the offensive conduct becomes a condition of continued employment for the employee.

### **D. Retaliation**

Title VII contains anti-retaliation provisions which provide that it is unlawful for an employer to discriminate against any employee or applicant for employment because such individual has opposed any practice made unlawful by Title VII, or because such individual, has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, hearing or litigation under Title VII.

The ADEA contains anti-retaliation provisions which provide that it is unlawful for an employer to discriminate against any employee or applicant for employment because such individual has opposed any practice made unlawful by the ADEA, or because such individual, has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, hearing or litigation under the ADEA.

### **E. Discrimination in Employment Prohibited**

The South Texas College is committed to complying with Title VII and the ADEA, and prohibits its employees from engaging in any discriminatory conduct made unlawful by Title VII or by the ADEA.

The College disapproves of and will not tolerate discrimination against any employee or applicant for employment. It is the policy of the College that any practice or behavior that constitutes discrimination in violation of Title VII or of the ADEA will be subject to disciplinary action, including dismissal from employment.

## MANUAL OF POLICY

<b>Title</b>	<b>Discrimination in Employment Prohibited</b>	<b>4206</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 3 of 3</b>

### **F. Discrimination Complaint Procedure.**

Any employee who believes that she or he has been discriminated against with respect to any term, condition, or privilege of employment in violation of this policy, Title VII, and/or the ADEA should promptly report the matter, in writing, to the attention of the Director of Human Resources for South Texas College.

Each complaint filed shall be taken seriously and promptly investigated. The investigation shall be conducted by the Director of Human Resources or her/his designee. Employees are expected to fully cooperate with any internal investigation of complaints filed under this policy. Written findings of the results of any investigation of a discrimination complaint and of the remedial actions proposed and/or taken, if any, shall be provided to the complainant and the respondent, and shall be placed in their respective personnel files.

Regardless of the outcome of the investigation, no employee who participated or assisted in any manner in the investigation of a complaint under this policy shall be subject to harassment or retaliation from the College for participating or assisting in the investigation.

### **G. Remedies Cumulative.**

An employee shall not be required to file a complaint under this policy or to exhaust the complaint procedure under this policy prior to filing a complaint with the U.S. Equal Employment Commission. An employee who files a complaint under this policy and obtains the desired relief shall not be precluded from filing a timely complaint regarding the same or other matter with the U.S. Equal Employment Commission.

Nothing in this policy shall be construed as extending the time period provided by law for an employee to file any charge or complaint of discrimination with the U.S. Equal Employment Commission.

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 1 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

### I. Purpose

The purpose of this policy is to ensure compliance with the anti-discrimination provisions of Title IX of the Education Amendments Act of 1972 and its implementing regulations (hereinafter “Title IX”) and to ensure compliance with Subchapters E-2 and E-3 of Chapter 51 of the Texas Education Code (hereinafter “Chapter 51”). The purpose of this policy is also to adopt and publish grievance and disciplinary procedures to ensure a prompt, fair, and equitable resolution of complaints arising under this policy for all parties involved.

### II. Definitions

As used herein, the following terms shall have the meaning assigned:

**“Complainant”** means a student or employee who is alleged to be the victim of conduct that could constitute sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation for engaging in a protected activity.

**“Confidential Employee/Student Advisor”** means an employee or a student designated by the College as being a confidential resource to whom reports of sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation may be made and who are not obligated to report complaints of such incidents to the Title IX Coordinator or a Deputy Title IX Coordinator, but are required to communicate details of such incidents in a manner that does not reveal the identity of the alleged victim.

**“Formal Complaint”** means a document filed by a Complainant or signed by the Title IX Coordinator or a Deputy Title IX Coordinator alleging sexual harassment, sexual assault, dating violence, domestic violence or stalking against a Respondent and requesting that the College investigate the allegations in the complaint. A document filed by the complainant as a formal complaint includes an electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or an activity of the College. When the Title IX Coordinator or a Deputy Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator or a Deputy Title IX Coordinator is not a complainant or otherwise a party in the process.

**“Mandatory/Responsible Reporter”** means an employee of the College who is obligated by policy to share knowledge, notice, and/or reports of conduct constituting sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence and/or retaliation with the Title IX Coordinator or the Deputy Title IX Coordinator.

All employees of the College are mandatory reporters except employees designated as being Confidential.

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 2 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

**“Protected Activity”** means exercising a right under this policy such as (1) making a report or filing a formal complaint; or (2) cooperating with or participating in an investigation; or (3) participating in a disciplinary process or a judicial proceeding relating to a Report or a Formal Complaint made by a student or employee under this policy; or (4) opposing, in good faith, any conduct that would be in violation of this policy. This does not apply to a student or employee who participates in an investigation, disciplinary process, or judicial proceeding relating to a Report or Formal Complaint alleging that the student or employee is the Respondent.

**“Report”** means a document (i) filed by a witness to an alleged incident of sexual harassment, sexual assault, dating violence, domestic violence, stalking, alleging sexual harassment, sexual assault, dating violence or stalking; or (ii) filed with a Confidential Employee or a Student Advocate by a complainant who desires to withhold disclosure of his or her identity and only confidentially discuss the alleged sexual harassment, sexual assault, dating violence or stalking in confidence without the complaint being investigated by the College.

**“Respondent”** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation.

**“Supportive measures”** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The recipient must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator or a Deputy Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

**“Title IX Coordinator”** is at least one official designated by the College to ensure compliance with Title IX, the College's Title IX program, and Chapter 51. References to the Title IX Coordinator throughout this policy may also encompass a designee or Deputy Title IX Coordinator of the Coordinator for specific tasks.

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 3 of 23

**Date Approved by Board** As Amended by Board Minute Order dated October 26, 2021

### III. Title IX Prohibits Discrimination on the Basis of Sex

South Texas College (hereinafter the “College”) does not discriminate or tolerate discrimination against any employee, applicant for employment, student, or applicant for admission on the basis of sex in the education program or activity that it operates, and it is prohibited by Title IX and its implementing regulations from discriminating in such a manner. This non-discrimination requirement in its education program or activity extends to student recruitment and admission and to employment of personnel. Any inquiries from students (including parents, guardians, or conservators of minor students), employees, or the general public about the application of Title IX and its implementing regulations to the College may be referred to the College’s Title IX Coordinator or Deputy Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or to both. A violation of this policy by any person is subject to disciplinary action up to and including expulsion from the College or termination from employment.

### IV. Title IX Prohibits Sex Discrimination / Sexual Harassment

#### A. Sex Discrimination

Under Title IX, sex discrimination involves exclusion from or different treatment on the basis of sex in such College activities as recruitment, admission, financial aid, work-study, athletics, counseling, or employment. Sex discrimination may also take the form of sexual harassment which can encompass sexual assault, dating violence, domestic violence, or stalking. South Texas College is committed to eradicating all forms of sex-based discrimination including sexual harassment and prohibits its employees and students from engaging in such conduct. Sexual Harassment can occur in any sex or gender configuration without regard to gender identity, gender expression or sexual orientation and may include off-campus or online conduct. Any person who violates this policy is subject to disciplinary action up to and including expulsion from the College or termination from employment.

#### B. Sexual Harassment

Under Title IX, sexual harassment (hereinafter “Sexual Harassment”) is considered a form of sex-based discrimination. The Title IX implementing regulations define sexual harassment as conduct on the basis of sex that satisfies one or more of the following:

1. **Quid Pro Quo harassment.** This occurs when an employee of the College conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;
2. **Unwelcome conduct.** This is conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s education program or activity; or



## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 4 of 23

Date Approved by Board As Amended by Board Minute Order dated October 26, 2021

3. **“Sexual assault”** as defined in 20 U.S.C. 1092(f)(6)(A)(v), **“dating violence”** as defined in 34 U.S.C. 12291(a)(10), **“domestic violence”** as defined in 34 U.S.C. 12291(a)(8), or **“stalking”** as defined in 34 U.S.C. 12291(a)(30).

### V. Sexual Harassment and other Prohibited Behavior under Chapter 51

Subchapters E-2 and E-3 of Chapter 51, Texas Education Code (hereinafter “Chapter 51”) require that the College adopt a policy prohibiting sexual harassment, sexual assault, dating violence, and stalking that is applicable to each student enrolled at and each employee of the College.

#### A. Sexual Harassment

Chapter 51 defines sexual harassment, as follows:

1. **Sexual Harassment** - means unwelcome, sex-based verbal or physical conduct that:
  - a) In the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or
  - b) In the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities at a postsecondary educational institution.

#### B. Other Prohibited Behavior under Chapter 51

Chapter 51 also prohibits the following behavior (hereinafter “Prohibited Behavior”):

1. **Sexual Assault** - means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
2. **Dating Violence** - means physical violence or verbal abuse committed by a person.
  - a. against a victim with whom the person is or has been in a social relationship of a romantic or intimate nature;
  - b. is intended to result in physical harm, bodily injury, assault, mental anguish, mental pain, emotional distress, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 5 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

- harm, bodily injury, assault, or sexual assault; and
- c. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - i. The length of the relationship.
  - ii. The type of relationship.
  - ii. The frequency of interaction between the persons involved in the relationship.
- 3. **Stalking** - means engaging in any act or course of conduct that is directed at a specific person that would cause a reasonable person to:
  - a. fear for his or her safety or the safety of others; or
  - b. suffer substantial emotional distress.

### VI. Sexual Violence and Consent, Coercion, & Incapacitation

Sexual violence is a form of sexual harassment or sexual assault that includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.

#### Consent

Consent is knowing, voluntary, and clear permission, by word or action, to engage in mutually agreed upon sexual activity. It is the responsibility of each party to make certain that the other has consented before engaging in the activity. Consent can be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated and the activity should cease immediately or within a reasonable time. Resistance to engaging in sexual activity is a clear demonstration of non-consent as is knowing that the other person is incapacitated and unable to provide consent.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. In Texas, the age of consent to engage in sexual activity is 17 years of age. Sexual activity with someone without clear consent constitutes a violation of this policy.

#### Incapacitation

Incapacitation means a mental state where a person lacks the capacity to give knowing/informed consent. Incapacitation may be due to a person's use of drugs or alcohol; due to an intellectual, mental or physical disability; due to a person's lack of consciousness, or due to a person being underage. A person who is under seventeen (17) years of age is legally incapable of consenting to sexual activity. A

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 6 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

person who engages in sexual activity with someone whom the individual knows, or reasonably should know, is incapable of knowingly consenting to the sexual activity violates this policy. Intoxication of the individual alleged to have violated this policy is not a defense.

### **VII. Consensual Romantic or Sexual Relationships Prohibited**

The College prohibits employees from entering consensual romantic or sexual relationships with each other if one is the direct or indirect supervisor of the other. The College prohibits faculty members and students from entering consensual romantic or sexual relationships with each other if one is the instructor of the other.

Employees in a supervisory subordinate relationship are prohibited from explicitly or implicitly suggesting or recommending or agreeing that either employee transfer or be transferred to another position or leave employment with the intention of circumventing this policy.

Individuals in an instructor-student relationship are prohibited from explicitly or implicitly suggesting or recommending or agreeing that the student enrolled in the faculty member's class drop the class or withdraw from enrollment in the College or that the faculty member withdraw from the class or from employment with the College with the intention of circumventing this policy.

The prohibition on consensual relationships shall apply for the duration of the supervisor-subordinate or instructor-student relationship and for a period of one calendar year after such relationship has ended.

### **VIII. Victim's Rights Statement**

All victims have a right to a prompt and equitable resolution of reports of violations of this policy. South Texas College encourages victims of sexual assault, dating violence, domestic violence or stalking, to go to a hospital for treatment and preservation of evidence as soon as practicable after the incident.

### **IX. False Complaints**

Any person who knowingly files a false complaint alleging a violation of this policy or with the intent to harm or deceive is subject to disciplinary action up to and including dismissal or expulsion from the College. Pursuant to Texas law, an employee who commits such an offense must be terminated from employment with the College.

### **X. Protocol for Reporting Incidents of Sexual Harassment and Prohibited Behavior**

#### **A. Formal Complaints**

Formal complaints or reports concerning alleged incidents of sexual harassment,

## MANUAL OF POLICY

<b>Title</b>	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	<b>4216</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 7 of 23</b>
<b>Date Approved by Board</b>	<b>As Amended by Board Minute Order dated October 26, 2021</b>	

sexual assault, dating violence, or stalking shall be made in accordance with the protocols set forth herein. A formal complaint filed with the Title IX Coordinator, or the Deputy Title IX Coordinator, a Mandatory Reporter or with a Responsible Employee, or a report filed with a designated Confidential Employee or with a designated Student Advocate, may be filed in person, by mail, or by electronic mail, by using the contact information listed for each in this policy.

A formal complaint filed by a complainant means a written document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

### **B. Designation of Title IX Coordinator**

The following employee serves as the Title IX Coordinator:

Todd C. Nelson  
Contracts and Regulatory Resources Officer  
Title IX Coordinator  
3201 W. Pecan Blvd. N 150  
McAllen, TX 78501  
(956) 872-4664  
TitleIX@southtexascollege.edu

The Title IX Coordinator has the primary responsibility for coordinating College's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent discrimination, harassment, and retaliation prohibited under this policy. The Title IX Coordinator acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees the grievance process and all resolutions of complaints under this policy and these procedures.

### **C. Mandatory Reporting of Sexual Harassment or of Prohibited Behavior**

All employees of South Texas College, unless designated a Confidential Employee, are considered Mandatory Reporters under Title IX and Chapter 51. Mandatory Reporters who, in the course and scope of employment, witnesses or receives information regarding the occurrence of an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence, or stalking and is alleged to have been committed by or against a person who was a student enrolled at or an employee of the College at the time of the incident shall promptly report the incident to the Title IX Coordinator or Deputy Title IX Coordinator. The report must include all information concerning the incident known to the reporting person that is relevant to the investigation and, if applicable, redress of the incident, including

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 8 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

whether an alleged victim has expressed a desire for confidentiality in reporting the incident for all actual or suspected instances of sexual harassment. The Mandatory Reporter must promptly share with a Title IX Coordinator or Deputy Title IX Coordinator all known details of a report made to the Mandatory Reporter in the course of their employment. Mandatory Reporters are required to report an incident regardless of the when or where the incident occurred.

When a mandatory reporter receives a report of an incident, they must:

1. Advise the individual of the employee's obligation to report any information the individual reveals to the Title IX coordinator or Deputy Title IX Coordinator;
2. Explain to the individual of their option to ask that the institution consider maintaining the confidentiality of that information, but that the institution may not be able to guarantee confidentiality, and
3. Offer the individual the option to instead share this information with counselor, ombuds, clergy, victim's advocacy groups, medical providers, attorneys, or other resources who may provide higher levels of confidentiality.

### **D. Failure to Report or False Report; Offenses**

A Mandatory Reporter person who is required to make a report commits an offense if the person knowingly fails to make the report; or with the intent to harm or deceive, knowingly makes a report that is false. An offense is a Class B misdemeanor, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that the actor intended to conceal the incident that the actor was required to report. If it is determined, in accordance with the College's disciplinary procedure, that an employee committed an offense for failing to make a report or for making a false report, the employee's employment with the College shall be terminated.

### **E. Exceptions to Mandatory Reporting – Designation of Confidential Employees** In an effort to encourage employees and students to report violations of this policy and to receive confidential assistance and supportive services without having to disclose their identity, the College designates the following employees as "Confidential Employees":

1. Counselor
2. Ombuds

Any student or employee who is a victim of, or a witness to an alleged incident of sexual harassment, sexual assault, dating violence, or stalking who desires to report the alleged incident but also desires to preserve the confidentiality of his or her

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 9 of 23

**Date Approved by Board** As Amended by Board Minute Order dated October 26, 2021

identity and of the alleged incident and not have the incident investigated by the Title IX Coordinator or a Deputy Title IX Coordinator should report the alleged incident to a Confidential Employee. A designated Confidential Employee may not disclose any communication made by a student unless the student consents to the disclosure or the employee is required to make the disclosure under state or federal law. Reports made to a Confidential Employee shall be forwarded to the Title IX Coordinator or a Deputy Title IX Coordinator in a manner that does not disclose the reporting student's identity and only discloses information which the College needs to collect on the incident for reporting and statistical purposes.

A "Confidential Employee" is required to inform reporting employees and students that:

- The confidentiality privilege belongs to the student and not to the Confidential Employee; therefore, only the student may waive the privilege.
- The confidentiality privilege is not absolute, it applies only with respect to making reports to the Title IX Coordinator or a Deputy Title IX Coordinator;
- In a case involving a minor student, the Confidential Employee may have a legal obligation to break the privilege and report sexual (or other abuse) of the minor to law enforcement authorities and/or to child protective services.
- In a criminal investigation arising from a complaint of sexual assault, domestic violence, dating violence, or stalking, a Confidential Employee may have a legal obligation to break the confidentiality and report a criminal act or testify in a civil or criminal proceeding if compelled to do so by a court or other tribunal of competent jurisdiction.
- Discussing any matter concerning sexual harassment or prohibited behavior with a "confidential employee" may delay an investigation into the matter but will not preclude a student or employee from, subsequently, filing a formal complaint with a mandatory reporting employee or the Title IX Coordinator or a Deputy Title IX Coordinator.
- The employee or student has a right to file a formal complaint with the Title IX Coordinator or a Deputy Title IX Coordinator;
- The employee or student has a right to file a criminal complaint with campus or local law enforcement authorities,
- The College has available campus resources for counseling, medical, and academic support,
- Confidential employees are available to assist in filing complaints, and
- Anti-retaliation and safety protections are in place.

### F. Additional Reporting

All members of the South Texas College community, including students, employees,

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 10 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

applicants, vendors, guests and visitors are encouraged to report incidents of prohibited conduct, online, in person, by mail, by telephone, or by electronic mail, or by any other means that results in receipt of the person's verbal or written report. Such a report may be made at any time (24/7) and may be made anonymously. There is no time limit to file reports but the actions the College can take to resolve complaints may be limited if significant time has passed.

Online reports can be made at: <https://www.southtexascollege.edu/report/index.html>

### **G. Actual Knowledge by College Required for Title IX and Chapter 51 Cases**

Actual knowledge to the College means a report made to an "Official with Authority" to institute corrective measures on behalf of the College. The Title IX Coordinator is an official with such authority. Other Officials with Authority to institute corrective measures include: College President, Vice Presidents, Deputy Title IX Coordinator, Director of Human Resources or Dean of Student Affairs.

### **H. Confidentiality**

In addition to expectation of confidentiality as explained in section B above, pursuant to Texas state law, the identity of an alleged victim, a reporting party, or an alleged Respondent, to an incident of sexual harassment, sexual assault, dating violence or stalking, is confidential and is not subject to disclosure unless waived in writing by the person. The identity may be disclosed only as required by law, as permitted by the Family Educational Rights and Privacy Act or to carry out the purposes of Title IX or relevant state laws including: alleged perpetrator(s) if required by law, persons tasked by the College to conduct an investigation, hearing or other proceeding arising under this policy; law enforcement officers who must conduct a criminal investigation of the report; or a health care provider in an emergency situation, as determined by the College.

A disclosure under this section is not a voluntary disclosure for purposes of Section 552.007, Government Code. Information regarding an incident of sexual harassment, sexual assault, dating violence, or stalking disclosed to a health care provider or other medical provider employed by the College is confidential and may be shared by the medical provider only with the victim's consent. However, the medical provider must provide aggregate data or other nonidentifying information regarding those incidents to the Title IX Coordinator.

### **I. Reporting to Law Enforcement**

Nothing in this policy is intended to limit the right of any person to file a criminal complaint with the law enforcement authorities in conjunction with a complaint under this policy. Complaints may also be filed with other local law enforcement authorities or with South Texas College's Department of Public Safety at (956) 872-4444 at or call

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 11 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

911 (for emergency services). Victims of a crime may choose to report the crime to law enforcement and may request that the College assist with such reporting, but they are not required to do so.

Employees and students with existing protective or restraining orders are encouraged to provide a copy to the Department of Public Safety.

### J. State and Federal Reporting

Complaints may also be filed with the following federal and state agencies. Nothing in this policy shall be construed as extending the time period provided by law for an employee to file any charge or complaint of discrimination with outside agencies.

#### *For Students:*

Office of Civil Rights  
U.S. Department of Education  
1999 Bryan Street, Suite 1620  
Dallas, TX 75201-6810  
Telephone: 214-661-9600/TDD#: 1-800-521-2172  
[OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov)

Office for Civil Rights, National Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: (800) 241-3481  
Fax: (202) 453-6012  
[OCR@ed.gov](mailto:OCR@ed.gov)

Or online at: <https://ocrcas.ed.gov/welcome-to-the-ocr-complaint-assessment-system>

#### *For Employees:*

U.S. Equal Employment Opportunity Commission  
San Antonio EEOC Field Office  
Legacy Oaks, Building A  
5410 Fredericksburg Road, Ste. 200  
San Antonio, TX 78229  
Telephone: (800) 669-4000

Online information available at: <https://www.eeoc.gov/how-file-charge-employment-discrimination>  
Texas Workforce Commission



## MANUAL OF POLICY

<b>Title</b>	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	<b>4216</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 12 of 23</b>

**Date Approved by Board**    **As Amended by Board Minute Order dated October 26, 2021**

Civil Rights Division  
101 E. 15<sup>th</sup> Street, Room 144-T  
Austin, TX 78778-0001  
Telephone: (512) 463-2642

Online information available at: <https://www.twc.texas.gov/jobseekers/how-submit-employment-discrimination-complaint>

### **XI. College's Response to Sexual Harassment and Prohibited Behavior**

#### **A. General Response**

If the College has actual knowledge of Sexual Harassment or of Prohibited Behavior-without a Formal Complaint, it will respond promptly in a manner that is not deliberately indifferent. In its response, the College will treat Complainants and Respondents equitably by offering Supportive Measures, as defined herein, to a Complainant, and by following a grievance process that complies with §106.45 of the Title IX implementing regulations before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a Respondent. In instances of actual knowledge of sexual harassment or of prohibited behavior, the Title IX Coordinator will promptly contact the Complainant to: (1) discuss the availability of Supportive Measures, (2) consider the Complainant's wishes with respect to Supportive Measures, (3) inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and (4) explain to the Complainant the process for filing a Formal Complaint. The Department may not deem a recipient to have satisfied the recipient's duty to not be deliberately indifferent under this part based on the recipient's restriction of rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment.

#### **B. Response to a Formal Complaint.**

Upon receipt of a Formal Complaint, the Title IX Coordinator or designee will follow a grievance resolution process that complies with §106.45 of the Title IX implementing regulations by initiating at least one of the following three responses:

1. Offering supportive measures;
2. An informal resolution;
3. A Grievance Resolution Process including an investigation and a live hearing.

#### **C. Grievance Resolution Process**

##### **1. Initial Assessment of Formal Complaints**

Any person may report Sexual Harassment or Prohibited Behavior (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute Sexual Harassment or Prohibited Behavior).

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 13 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

Formal Complaints alleging Sexual Harassment or Prohibited Behavior shall be submitted to the Title IX Coordinator or Deputy Title IX Coordinator. The Title IX Coordinator or a Deputy Title IX Coordinator shall evaluate each Formal Complaint to determine if the complaint alleges Sexual Harassment or Prohibited Behavior.

Formal Complaints alleging Sexual Harassment or Prohibited Behavior will be coordinated by the Title IX Coordinator or a Deputy Title IX Coordinator. Formal Complaints will be investigated by investigators, resolved through Informal Resolution by persons designated to facilitate an informal resolution process, if agreed to by all parties, in writing, or resolved by decision-makers after a Live Hearing incorporating examination of witnesses and cross-examination of the parties by the parties' respective Advisors. In addition to the Title IX Coordinator or a Deputy Title IX Coordinator, investigators, decision-makers, and persons designated to facilitate an informal resolution process as required by §106.45(iii) of the Title IX implementing regulations to include training on the definition of Sexual Harassment, the scope of the College's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

### 2. **Formal Complaint Signed by Complainant or Title IX Coordinator Required**

In cases involving allegations of Sexual Harassment or Prohibited Behavior, a Formal Complaint signed by the Complainant is required for an Informal Resolution or to begin an investigation leading to a Live Hearing. A Complainant may withdraw a complaint at any time.

In Title IX cases where the College receives an anonymous report, or where a Complainant withdraws a Formal Complaint, or where a Complainant refuses to further participate in the process, the Title IX Coordinator may sign a formal complaint commencing the grievance resolution process in order to ensure that matters which pose a threat to the educational, employment, or other opportunities provided by the College, are addressed. If a Complainant alleging to be a victim of an incident of sexual harassment, sexual assault, dating violence, family violence, stalking, or retaliation reported to the Title IX Coordinator requests that the alleged incident not be investigated, the Title IX Coordinator may have the alleged incident investigated in a manner that complies with the confidentiality requirements of this policy. In determining whether to have the alleged incident investigated, the Title IX Coordinator or a Deputy Title IX Coordinator shall consider:

## MANUAL OF POLICY

Title	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	4216
Legal Authority	Approval of the Board of Trustees	Page 14 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

- (1) the seriousness of the alleged incident;
- (2) whether the Title IX Coordinator or a Deputy Title IX Coordinator has received other reports of sexual harassment, sexual assault, dating violence, stalking, or retaliation committed by the alleged Respondent(s);
- (3) whether the alleged incident poses a risk of harm to others; and
- (4) any other factors the Title IX Coordinator or a Deputy Title IX Coordinator determines relevant.

If the Title IX Coordinator decides not to have an alleged incident of sexual harassment, sexual assault, dating violence, stalking or retaliation investigated based on the Complainant's request to investigate, the Title IX Coordinator shall take any steps deemed necessary to protect the health and safety of the College community in relation to the alleged incident. The Title IX Coordinator or a Deputy Title IX Coordinator shall inform an alleged victim of an incident of sexual harassment, sexual assault, dating violence, stalking, or retaliation who requests that the Title IX Coordinator or a Deputy Title IX Coordinator not to investigate the alleged incident of the whether or not the alleged incident will be investigated.

### **3. Optional Risk Assessment/Emergency Removal**

Upon receiving a report of conduct that may violate Title IX or Section 51.281, the Title IX Coordinator or Deputy Title IX Coordinator may refer a party for an individualized risk assessment by the College's Behavioral Intervention Team (BIT). The BIT may act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator or a Deputy Title IX Coordinator in conjunction with the Behavioral Intervention Team (also known as BIT/BAT/TAT/CARE, etc.) using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student Respondent will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When the student Respondent does not timely request this,

## MANUAL OF POLICY

<b>Title</b>	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	<b>4216</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 15 of 23</b>
<b>Date Approved by Board</b>	<b>As Amended by Board Minute Order dated October 26, 2021</b>	

objections to the emergency removal will be deemed waived.

A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator or a Deputy Title IX Coordinator determines it is equitable to do so. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator or a Deputy Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration of the emergency removal. Violation of an emergency removal under this policy will be grounds for discipline within the student or employee conduct processes, which may include expulsion or termination.

#### **4. Supportive Measures**

Alleged victims of Sexual Harassment or of Prohibited Behavior will be offered Supportive Measures before a Formal Complaint or during the pendency of the grievance resolution process, including, but not limited to: protection from retaliation, interim no-contact orders, academic support (such as dropping courses without academic penalty), alternative work arrangements, campus safety escorts, referrals to counseling, community-based service providers, or any other action deemed appropriate. To the greatest extent practicable, referrals to counseling will be offered by a counselor who does not provide counseling to any other person involved in the incident. The College will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair the College's ability to provide those supportive measures. The College will act to ensure as minimal an academic impact on the parties as possible. The College will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to community-based service providers
- Student financial aid counseling
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 16 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

- Implementing contact limitations (no contact orders) between the parties
- Academic support or other course/program- related adjustments
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus

### 5. Provision of Advisors

Complainants and Respondents have the right to an Advisor of their choice to assist them in proceedings involving a Formal Complaint alleging Sexual Harassment or Prohibited Behavior. An Advisor may be an attorney, a faculty member, a staff member, a family member, a friend or any other support person. The College may establish restrictions regarding the extent to which the Advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. A Complainant or Respondent who desires more than one Advisor must make such a request as early as possible within the resolution process and if more than one Advisor is allowed for one party, the other party will be allowed the same number of Advisors. No more than two Advisors per party will be allowed unless justification in writing is provided to the College. Parties may choose not to use an advisor in any stage of the grievance resolution process except that parties **must** have an Advisor who **must** conduct cross-examination of other witnesses if a Live Hearing is conducted. If a party does not have an Advisor present at the Live Hearing, the Title IX Coordinator or a Deputy Title IX Coordinator will appoint an advisor who will conduct the cross-examination on behalf of that party.

Advisors must be willing and available to serve as an advisor. Advisors will be provided information about the grievance resolution process. Advisors who are otherwise Mandatory Reporters will be temporarily exempt from mandatory reporting solely for the matter in which they serve as an Advisor.

### 6. Notice of Allegations and Investigation

Before commencement of the grievance resolution process of a Formal Complaint alleging Sexual Harassment or Prohibited Behavior, notice of the allegations must be provided to an alleged respondent for a Title IX matter. Such notice may not be provided if the Complainant is only seeking supportive measures without the filing of a Formal Complaint or if a Complainant withdraws their complaint prior to commencement of the grievance resolution process with no impact upon the alleged Respondent.

The grievance resolution process for Formal Complaints alleging Sexual Harassment or Prohibited Behavior, will be in accordance with grievance

## MANUAL OF POLICY

<b>Title</b>	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	<b>4216</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 17 of 23</b>
<b>Date Approved by Board</b>	<b>As Amended by Board Minute Order dated October 26, 2021</b>	

procedure set forth in 34 C.F.R. § 106.45.

The grievance resolution process for complaints alleging sex discrimination or other prohibited behavior other than Sexual Harassment or Prohibited Behavior, will be the non-adversarial procedure set forth in Policy 4904.

### **7. Informal Resolution**

Upon receipt of a Formal Complaint alleging Sexual Harassment or Prohibited Behavior, or any time after receiving a report of conduct in violation of this policy, the Title IX Coordinator or a Deputy Title IX Coordinator may facilitate an informal resolution amenable to all parties involved as follows:

1. By providing supportive measures to the Complainant that remedy the situation;
2. When the Respondent agrees to responsibility for a violation and accepts a sanction amenable to all parties; or
3. When the parties agree to a mediation.

The Complainant and the Respondent must voluntarily agree to the informal resolution in writing and no party will be pressured to participate. The parties may choose to stop the Informal Resolution process at any time and request another form of resolution. However, a Live Hearing is required for complaints alleging Sexual Harassment and other Prohibited Behavior if an Informal Resolution cannot be reached.

### **8. Investigations**

Investigations will be conducted in accordance with all applicable laws, regulations and policies. Formal Complaints alleging Sexual Harassment or Prohibited Behavior will be investigated by investigators who have received training in compliance with Title IX regulations. Investigations may involve interviews with parties or witnesses; obtaining available, relevant evidence; or identifying sources of expert information, as necessary.

A 10-day review period will be provided to Complainants and Respondents to review a draft investigation report including relevant evidence and for the opportunity to provide additional feedback, evidence, or witnesses. After this 10-day period, the investigator will update the investigative report, if necessary, and the Title IX Coordinator or Deputy Title IX Coordinator will provide the parties with a final investigative report at least ten (10) days prior to a Live Hearing.

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 18 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

### 9. Live Hearings

After an investigation is complete and if an Informal Resolution does not resolve the matter, the case will be referred for a Live Hearing.

#### a. Policy applicable to all Hearings

Hearings conducted under this policy will be heard by a Hearing Officer or a Panel of three (3) decision makers determined at the discretion of the Title IX Coordinator or a Deputy Title IX Coordinator.

All Live Hearings are subject to the preponderance of the evidence standard of proof.

#### b. Formal, Live Hearings for Title IX and Chapter 51.281 Complaint

A formal live hearing will occur no less than ten (10) business days after a final investigative report is issued to the parties, unless all parties, advisors and staff involved agree to an expedited hearing. Hearings must be live and must be recorded.

The Hearing Officer or Panel will make a determination on all of the evidence available.

More information about the procedure for all hearings is available by contacting the Title IX Coordinator or Deputy Title IX Coordinator or here:

[https://www.southtexascollege.edu/about/pdf/Complaint\\_and\\_Grievance\\_Procedures.pdf](https://www.southtexascollege.edu/about/pdf/Complaint_and_Grievance_Procedures.pdf)

### 10. Notice of Outcome and Sanctions

#### a. For Title IX Hearings

Once a hearing has been conducted, the Hearing Officer or Panel members will deliberate and issue a finding of responsibility for each alleged violation in a written deliberation statement that will include the determination, rationale, the evidence relied upon in support of the determination, any evidence not relied upon, credibility assessments and recommendations for sanctions.

The written deliberation statement will then be shared with the Title IX Coordinator or a Deputy Title IX Coordinator who will work with the

## MANUAL OF POLICY

Title	Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited	4216
Legal Authority	Approval of the Board of Trustees	Page 19 of 23
Date Approved by Board	As Amended by Board Minute Order dated October 26, 2021	

Hearing Office to prepare a Notice of Outcome, including any applicable sanctions, to be provided to the Parties.

### **b. For Non-Title IX Hearings**

The Hearing Officer or Panel will deliberate and issue a finding of responsibility for each alleged violation, rationale for the decision, and recommended sanctions. Either the Hearing Officer finalize the Notice of Outcome to be issued to the Parties.

### **c. Disciplinary Actions and Sanctions**

For a list of sanctions that may be imposed upon responsible parties who are students, please refer to the Student Handbook/Code of Conduct or here: [https://www.southtexascollege.edu/pdf/Student\\_Handbook.pdf](https://www.southtexascollege.edu/pdf/Student_Handbook.pdf)

For a list of disciplinary actions that may be imposed upon responsible parties who are employees, please refer to the Employee Handbook or here: <https://admin.southtexascollege.edu/president/policies/pdf/4000/4911.pdf>

## **11. Dismissal of Complaint**

An allegation of Sexual Harassment presented as a Formal Complaint is subject to the mandatory dismissal procedures under Title IX. A Formal Complaint may be dismissed at any time upon the request of the Complainant. However, the Title IX Coordinator must first assess the Complainant's request to dismiss in accordance with Section XI(C)(2) (Formal, Complaint Signed by Complainant or Title IX Coordinator Required). A Formal Complaint may also be dismissed if specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or any of the allegations therein.

## **12. Promptness of Resolution**

All allegations of Sexual Harassment or Prohibited Behavior will be acted upon promptly by the Title IX Coordinator or a Deputy Title IX Coordinator after the Title IX Coordinator or a Deputy Title IX Coordinator has actual knowledge of the allegation or a Formal Complaint has been filed with the Title IX Coordinator or a Deputy Title IX Coordinator. Complaints can take 60 to 90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the Title IX Coordinator or a Deputy Title IX Coordinator will respond promptly in a manner that is not deliberately indifferent. Any time the general timeframes for



## MANUAL OF POLICY

<b>Title</b>	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	<b>4216</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 20 of 23</b>
<b>Date Approved by Board</b>	<b>As Amended by Board Minute Order dated October 26, 2021</b>	

resolution will be delayed, the Title IX Coordinator or a Deputy Title IX Coordinator will provide written notice to the victim/Complainant and Respondent of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

### **13. Appeals**

Parties may appeal the Notice of Outcome for any type of hearing within ten (10) business days of receipt of the Notice of Outcome. Appeals are limited to the following bases:

1. Procedural irregularity;
2. New evidence that was not reasonably available at the time the determination was made; or
3. A conflict of interest or bias on the part of any person involved with the administration of the hearing.

### **14. Prevention and Outreach Program**

The College shall develop and implement a comprehensive prevention and outreach program on sexual harassment, sexual assault, dating violence, and stalking which:

- (1) Addresses a range of strategies to prevent sexual harassment, sexual assault, dating violence, and stalking, including a victim empowerment program, a public awareness campaign, primary prevention, bystander intervention, and risk reduction; and
- (2) Provides students with information regarding the protocol for reporting incidents of sexual harassment, sexual assault, dating violence, and stalking including the name, office location, and contact information of the institution's Title IX coordinator or a Deputy Title IX Coordinator, by:
  - (a) e-mailing the information to each student at the beginning of each semester or other academic term; and
  - (b) including the information in the orientation required

As part of the protocol for responding to reports of sexual harassment, sexual assault, dating violence, and stalking the College shall:

- (1) to the greatest extent practicable based on the number of counselors employed by the institution, ensure that each alleged victim or alleged perpetrator of an incident of sexual harassment, sexual assault, dating violence, or stalking and any other person who reports such an incident

## MANUAL OF POLICY

<b>Title</b>	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	<b>4216</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 21 of 23</b>
<b>Date Approved by Board</b>	<b>As Amended by Board Minute Order dated October 26, 2021</b>	

are offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident; and notwithstanding any other law, allow an alleged victim or alleged perpetrator of an incident of sexual harassment, sexual assault, dating violence, or stalking to drop a course in which both parties are enrolled without any academic penalty.

### **15. Trauma-Informed Investigation Training**

Each peace officer employed by the College shall within one (1) calendar year of the adoption of this policy by the College or within one (1) calendar year of the peace officer's employment with the College, whichever date is later, shall complete training on trauma-informed investigation into allegations of sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

### **16. Amnesty for Students Reporting Certain Incidents**

The College may not take any disciplinary action against a student enrolled at the College who in good faith reports to the College being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking for a violation by the student of the College's code of conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the institution's disciplinary process regarding the incident, if any.

The College may investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith.

A determination that a student is entitled to amnesty under this section is final and may not be revoked.

This subsection does not apply to a student who reports the student's own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, domestic violence, stalking or retaliation.

This section may not be construed to limit the College's ability to provide amnesty from application of the College's institution's policies in circumstances not described by this subsection.

### **17. Memoranda of Understanding Required**

To facilitate effective communication and coordination regarding allegations of sexual harassment, sexual assault, dating violence, domestic violence, and stalking at the College, the College shall enter into a memorandum of

## MANUAL OF POLICY

<b>Title</b>	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	<b>4216</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 22 of 23</b>
<b>Date Approved by Board</b>	<b>As Amended by Board Minute Order dated October 26, 2021</b>	

understanding with one or more:

- a. local law enforcement agencies;
- b. sexual harassment, sexual assault, dating violence, or stalking advocacy groups; and
- c. hospitals or other medical resource providers.

### **18. Orientation for New Students on Sexual Harassment and Prohibited Behavior**

South Texas College shall require each entering freshman or undergraduate transfer student to attend an orientation on the institution's sexual harassment, sexual assault, dating violence, and stalking policy before or during the first semester or term in which the student is enrolled at the institution. The College shall establish the format and content of the orientation. The orientation:

1. may be provided online; and
2. must include the statements regarding:
  - a. the importance of a victim of sexual harassment, sexual assault, dating violence, or stalking going to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident;
  - b. the right of a victim of sexual harassment, sexual assault, dating violence, or stalking to report the incident to the institution and to receive a prompt and equitable resolution of the report; and
  - c. the right of a victim of a crime to choose whether to report the crime to law enforcement, or to decline to report the crime to law enforcement;

### **19. Administrative Reporting Requirements**

Not less than once every three months, the Title IX coordinator or a Deputy Title IX Coordinator shall submit to the College President a written report on the reports received regarding Sexual Harassment or Prohibited Behavior, including information regarding:

- a. the investigation of those reports;
- b. the disposition, if any, of any disciplinary processes arising from those reports; and
- c. the reports for which the College determined not to initiate a disciplinary process, if any.

The College's Title IX Coordinator or Deputy Title IX coordinator shall immediately report to the College President an incident reported to the Title IX Coordinator or a Deputy Title IX Coordinator if the coordinator has cause

## MANUAL OF POLICY

<b>Title</b>	<b>Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited</b>	<b>4216</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 23 of 23</b>
<b>Date Approved by Board</b>	<b>As Amended by Board Minute Order dated October 26, 2021</b>	

to believe that the safety of any person is in imminent danger as a result of the incident.

At least once during each fall or spring semester, the College President shall submit to the South Texas College's governing body and post on the College's Internet website a report concerning the reports received from the Title IX Coordinator or a Deputy Title IX Coordinator unless for any semester in which the College has fewer than 1,500 enrolled students, the College President shall submit and post a report required under this Section for that semester only if more than five reports were received during that semester. The report:

- a. may not identify any person; and
- b. must include:
  - the number of reports received under Section III;
  - the number of investigations conducted as a result of those reports;
  - the disposition, if any, of any disciplinary processes arising from those reports;
  - the number of those reports for which the College determined not to initiate a disciplinary process, if any; and
  - any disciplinary actions

### **XII. Periodic Review of Policy**

The College's Board of Trustees will review this policy each biennium and will revise the policy as necessary.

### **XIII. History**

Origination Date Approved by Board	May 26, 2015
Date Reviewed and Approved by Board	December 15, 2015 April 26, 2016 April 24, 2018 August 27, 2019 December 10, 2019 July 28, 2020 December 15, 2020 October 26, 2021



# **SOUTH TEXAS COLLEGE**

## **Title IX Complaint Resolution Process Handbook for Students and Employees**

### **Implementing**

**Policy DIAA (Local) — Freedom from Discrimination, Harassment, and Retaliation: Sex and Sexual Violence and DIAB (Local) — Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics**

### **And**

**Policy FFDA (Local) — Freedom from Discrimination, Harassment, and Retaliation: Sex and Sexual Violence and FFDB (Local) — Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics**

## Table of Contents

<b>GLOSSARY .....</b>	<b>5</b>
<b>RATIONALE .....</b>	<b>9</b>
<b>APPLICABLE SCOPE .....</b>	<b>9</b>
<b>TITLE IX COORDINATOR.....</b>	<b>11</b>
<b>INDEPENDENCE AND CONFLICT-OF- INTEREST.....</b>	<b>11</b>
<b>TITLE IX TEAM CONTACT INFORMATION .....</b>	<b>12</b>
TITLE IX COORDINATOR.....	12
TITLE IX DEPUTY COORDINATORS .....	12
TITLE IX LIAISONS.....	13
INQUIRIES MAY BE MADE EXTERNALLY TO: .....	14
FOR COMPLAINTS INVOLVING EMPLOYEES: EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) .....	14
<b>NOTICE/COMPLAINTS OF DISCRIMINATION, HARASSMENT, AND/OR RETALIATION .....</b>	<b>15</b>
FORMAL COMPLAINT .....	15
<b>SUPPORTIVE MEASURES .....</b>	<b>16</b>
<b>EMERGENCY REMOVAL.....</b>	<b>17</b>
<b>PROMPTNESS .....</b>	<b>18</b>
<b>PRIVACY .....</b>	<b>19</b>
<b>JURISDICTION OF THE COLLEGE.....</b>	<b>20</b>
<b>TIME LIMITS ON REPORTING.....</b>	<b>21</b>
<b>ONLINE HARASSMENT AND MISCONDUCT .....</b>	<b>22</b>
<b>POLICY ON NONDISCRIMINATION.....</b>	<b>22</b>
<b>DISABILITY DISCRIMINATION AND ACCOMMODATION .....</b>	<b>24</b>

<b>POLICY ON DISCRIMINATORY HARASSMENT .....</b>	<b>24</b>
<b>DISCRIMINATORY HARASSMENT .....</b>	<b>26</b>
<b>SEXUAL HARASSMENT .....</b>	<b>27</b>
<b>OTHER CIVIL RIGHTS OFFENSES .....</b>	<b>31</b>
<b>STANDARDS FOR ANALYSIS.....</b>	<b>32</b>
<b>RETALIATION .....</b>	<b>35</b>
<b>MANDATED REPORTING .....</b>	<b>36</b>
<b>WHEN A COMPLAINANT DOES NOT WISH TO PROCEED .....</b>	<b>38</b>
<b>FEDERAL TIMELY WARNING OBLIGATIONS.....</b>	<b>39</b>
<b>FALSE ALLEGATIONS AND EVIDENCE .....</b>	<b>40</b>
<b>AMNESTY FOR COMPLAINANTS AND WITNESSES.....</b>	<b>40</b>
<b>PROCESS A: TITLE IX REGULATORY RESOLUTION PROCESS .....</b>	<b>41</b>
<b>OVERVIEW .....</b>	<b>41</b>
<b>NOTICE/COMPLAINT.....</b>	<b>42</b>
<b>INITIAL ASSESSMENT.....</b>	<b>42</b>
<b>COUNTERCLAIMS .....</b>	<b>45</b>
<b>RIGHT TO AN ADVISOR .....</b>	<b>45</b>
<b>RESOLUTION PROCESSES.....</b>	<b>46</b>
A.        INFORMAL RESOLUTION .....	46
B.        ALTERNATIVE RESOLUTION MECHANISM .....	47
C.        RESPONDENT ACCEPTS RESPONSIBILITY FOR ALLEGED VIOLATIONS.....	48
<b>FORMAL GRIEVANCE PROCESS .....</b>	<b>48</b>
<b>FORMAL GRIEVANCE PROCESS: NOTICE OF INVESTIGATION AND ALLEGATIONS .....</b>	<b>49</b>
<b>RESOLUTION TIMELINE .....</b>	<b>49</b>
<b>APPOINTMENT OF INVESTIGATORS.....</b>	<b>49</b>
<b>ENSURING IMPARTIALITY .....</b>	<b>49</b>
<b>INVESTIGATION TIMELINE .....</b>	<b>50</b>
<b>DELAYS IN THE INVESTIGATION PROCESS AND INTERACTIONS WITH LAW ENFORCEMENT .....</b>	<b>50</b>
<b>STEPS IN THE INVESTIGATION PROCESS .....</b>	<b>51</b>
<b>INVESTIGATIVE ACTIONS.....</b>	<b>51</b>
<b>ROLE AND PARTICIPATION OF WITNESSES IN THE INVESTIGATION .....</b>	<b>52</b>
<b>RECORDING OF INTERVIEWS .....</b>	<b>52</b>
<b>EVIDENTIARY CONSIDERATIONS IN THE INVESTIGATION .....</b>	<b>52</b>
<b>REFERRAL FOR HEARING .....</b>	<b>53</b>
<b>HEARING DECISION-MAKER COMPOSITION .....</b>	<b>53</b>
<b>EVIDENTIARY CONSIDERATIONS IN THE HEARING.....</b>	<b>53</b>
<b>NOTICE OF HEARING .....</b>	<b>54</b>
<b>ALTERNATIVE HEARING PARTICIPATION OPTIONS.....</b>	<b>55</b>
<b>HEARING PROCEDURES.....</b>	<b>56</b>

<b>JOINT HEARINGS .....</b>	<b>57</b>
<b>RECORDING HEARINGS .....</b>	<b>57</b>
<b>SANCTIONS .....</b>	<b>57</b>
A.        STUDENT SANCTIONS .....	58
B.        EMPLOYEE SANCTIONS/RESPONSIVE/CORRECTIVE ACTIONS .....	60
<b>WITHDRAWAL OR RESIGNATION BEFORE COMPLAINT RESOLUTION.....</b>	<b>60</b>
A.        STUDENTS .....	60
B.        EMPLOYEES .....	61
<b>APPEALS .....</b>	<b>62</b>
A.        GROUNDS FOR APPEAL .....	62
B.        SANCTIONS STATUS DURING THE APPEAL .....	63
<b>LONG-TERM REMEDIES/OTHER ACTIONS .....</b>	<b>63</b>
<b>FAILURE TO COMPLY WITH SANCTIONS AND/OR RESPONSIVE ACTIONS .....</b>	<b>64</b>
<b>RECORDKEEPING .....</b>	<b>64</b>
 <b>PROCESS B .....</b>	 <b>65</b>
 <b>COUNTERCLAIMS .....</b>	 <b>67</b>
<b>ADVISORS .....</b>	<b>67</b>
<b>RESOLUTION OPTIONS .....</b>	<b>69</b>
A.        INFORMAL RESOLUTION .....	69
B.        ADMINISTRATIVE RESOLUTION .....	70
<b>DETERMINATION.....</b>	<b>72</b>
<b>ADDITIONAL DETAILS OF THE INVESTIGATION PROCESS.....</b>	<b>73</b>
A.        WITNESS RESPONSIBILITIES .....	73
B.        REMOTE PROCESSES.....	73
C.        RECORDING .....	73
D.        EVIDENCE .....	73
E.        PRIOR SEXUAL HISTORY/PATTERNS.....	73
F.        PREVIOUS ALLEGATIONS/VIOLATIONS.....	74
G.        CHARACTER WITNESSES.....	74
H.        NOTIFICATION OF OUTCOME.....	74
<b>SANCTIONS.....</b>	<b>75</b>
<b>WITHDRAWAL OR RESIGNATION WHILE CHARGES ARE PENDING .....</b>	<b>75</b>
<b>APPEALS .....</b>	<b>75</b>
<b>LONG-TERM REMEDIES/ACTIONS .....</b>	<b>76</b>
<b>FAILURE TO COMPLETE SANCTIONS/COMPLY WITH INTERIM AND LONG-TERM REMEDIES/RESPONSIVE ACTIONS.....</b>	<b>77</b>
<b>RECORDKEEPING .....</b>	<b>78</b>
<b>DISABILITIES ACCOMMODATION IN THE RESOLUTION PROCESS .....</b>	<b>78</b>
<b>REVISION .....</b>	<b>78</b>



# Glossary

---

1. **Actual Knowledge** notice of sexual harassment or misconduct allegations to the College's Title IX Coordinator or any other College official who has authority to institute corrective measures on behalf of the college.
2. **Advisor** a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and, in Title IX Regulatory Grievance cases (Process "A"), to conduct cross-examination for the party at the hearing, if any. In cases involving sexual harassment, sexual assault, dating or domestic violence or stalking, by law, the advisor of choice may be anyone the party chooses to serve in this capacity. In all other cases, the individual must be a current student or employee of the College.
3. **Complainant** the person who experienced behavior alleged to constitute discrimination, discriminatory harassment, sexual harassment, or any other form of misconduct based on a protected class and defined in this policy; or retaliation for engaging in a protected activity.
4. **Confidential Resource** means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
5. **Day** means a business day when the College is in normal operation. In calculating timelines under these Procedures, the day the document is filed is "day zero." The following business day is "day one."
6. **Decision-maker** means the person or panel who hears evidence, determines relevance, and makes the Final Determination of whether this policy has been violated and/or assigns sanctions.
7. **Directly Related Evidence** is evidence connected to the complaint but is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and will not be relied upon by the investigation report or Decision-maker. Compare to Relevant Evidence, below.
8. **Education program or activity** means locations, events, or circumstances where the College exercises substantial control over both the Respondent and the context in which the sexual harassment, discrimination, and/or retaliation occurs and also includes any building owned or controlled by a student organization that the College officially recognizes.
9. **Final Determination** is a conclusion by the standard of proof that the alleged conduct did or did not violate policy.
10. **Finding** is a conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a "finding of fact").

11. **Formal Complaint** means a document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that the College investigate the allegation.
12. **Formal Grievance Process** means “Process A,” a method of formal resolution designated by the College to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations (34 CFR §106.45).
13. **Grievance Process Pool** includes any investigators, hearing Decision-makers, appeal officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).
14. **Harassment** for purposes of this policy harassment is defined as: Unwelcome conduct directed toward an individual or group of individuals that is based on that individual’s or group’s membership (or perceived membership) in a particular demographic group, including race, color, religion, age, gender, gender identity, gender expression, national origin or ethnicity, mental or physical disability, or sexual orientation, that is offensive or disrespectful but does not rise to the level of creating a hostile environment.
15. **Hearing Decision-maker or Panel** refers to those who have decision-making and sanctioning authority within the College’s Formal Grievance process.
16. **Hostile Environment** conduct that a reasonable person would consider to be severe, pervasive, and objectively offensive sufficient to limit or deny educational or employment benefits or opportunities. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets, or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with a person’s residence or on-campus environment, or work or school performance, regardless of medium (e.g., in person, telephone, text message, electronic mail, social media or any other method).
17. **Incest** a type of sexual assault defined as non-forcible sexual intercourse, between persons who are related to each other, within the degrees wherein marriage is prohibited by Texas law.
18. **Intimate Partner Violence** any intentional act, or threat, of physical, sexual, or psychological violence or abuse, including acts of intimidation and coercion, by a current or former partner in an intimate relationship upon the other partner. Intimate Partner Violence may include a pattern of abusive behavior by one partner to consistently maintain power and control over the other partner. This type of violence can occur regardless of the sex, gender, gender identity, gender expression, or sexual orientation of the other person.

- The existence of an intimate relationship will be evaluated considering the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - Dating and domestic violence are forms of Intimate Partner Violence and all are prohibited by policies on Freedom from Discrimination, Harassment, and Retaliation.
19. **Investigator** means the person or persons charged by the College to gather facts about an alleged violation(s) of policy as it applies to students, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report and file of Directly Related Evidence.
  20. **Mandatory or Mandated Reporter** means an employee of the College who is obligated by Policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.
  21. **Notice** means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
  22. **Official with Authority (OWA)** means an employee of the College explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the College.
  23. **Parties** include the Complainant(s) and Respondent(s), collectively.
  24. **Preponderance of the Evidence** the standard of evidence applied in determining a violation of policy. Generally considered to be “more likely than not” or “the greater weight of the evidence.”
  25. **Process A** means the Formal Grievance Process as set forth in the 2020 Title IX Regulations detailed below and defined above.
  26. **Process B** means the administrative resolution procedures detailed below that apply only when Process A does not, as determined by the Title IX Coordinator.
  27. **The College** means South Texas College, a postsecondary education program that is a recipient of federal funding.
  28. **Relevant Evidence** is evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint.
  29. **Remedies** are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the College’s educational program.

30. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class<sup>1</sup>, or retaliation for engaging in a protected activity<sup>2</sup>.
31. **Resolution** means the result of an informal or Formal Grievance Process.
32. **Sanction** means a consequence imposed by the College on a Respondent who is found to have violated policies that are subject to either Process A or B of these Procedures.
33. **Sexual Harassment** is the umbrella category, including the offenses of sexual harassment, sexual assault, stalking, dating violence, and domestic violence. See the policy on Discriminatory Harassment – B. Sexual Harassment section. for greater detail.
34. **Supportive Measures** non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the College’s education program or activity, including measures designed to protect the safety of all parties or the College’s educational environment, and/or deter harassment, discrimination, and/or retaliation.
35. **Title IX Coordinator** is at least one official designated by the College to ensure compliance with Title IX and the College’s Title IX program. References to the Title IX Coordinator throughout these procedures may also encompass a designee of the Coordinator for specific tasks.
36. **Title IX Team** refers to the Title IX Coordinator, any deputy coordinators, and any member of the Grievance Process Pool.

---

<sup>1</sup> For additional information about protected classes, see, *infra* section “Policy on Nondiscrimination.”

<sup>2</sup> For additional information about retaliation for engaging in a protected activity, see *infra* section “Retaliation”

# Rationale

---

The College is committed to providing a workplace and educational environment, as well as benefits, programs, and activities, that are free from discrimination and harassment based on a protected category, and retaliation for engaging in a protected activity.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, the College has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation.

The College values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

## Applicable Scope

---

The core purpose of these procedures are to implement policy (Employees: DIAA (Local) and/or DIAB (Local), and Students: FFDA (Local) and/or FFDB (Local). Collectively, these policies prohibit all forms of discrimination, including discrimination based on sex and disability. Sometimes, discrimination involves exclusion from or different treatment in activities, such as admission, or employment. At other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, it can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence, or domestic violence. When an alleged violation of this nondiscrimination policy is reported, the allegations are subject to resolution using the College's "Process A" or "Process B," as determined by the Title IX Coordinator and as detailed below.

When the Respondent is a member of the College community, a formal complaint may be filed and a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the College community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, vendors, contractors, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and

investigated in accordance with College Policies and these Procedures.

The College recognizes that reports and/or Formal Complaints under these procedures may include multiple forms of discrimination and harassment as well as violations of other College policies and procedures; may involve various combinations of students, employees, and other members of the College community; and may require the simultaneous attention of multiple College departments. Accordingly, all College departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law and consistent with other applicable College policies and procedures, to provide uniform, consistent, efficient, and effective responses to alleged discrimination and harassment or retaliation.

## Title IX Coordinator

---

The individual identified in the Title IX Team section, serves as the Title IX Coordinator and 504 Coordinator and oversees the implementation of the College's Title IX and disability compliance and the College's policy on equal opportunity, harassment, and nondiscrimination as it applies to students.

The Title IX Coordinator is primarily responsible for coordinating the College's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent discrimination, harassment, and retaliation prohibited under this policy.

All parties will have access to a comprehensive brochure detailing options and resources on the [College's Title IX website](#). The Title IX Coordinator may also go over this information in person with the parties, as appropriate.

## Independence and Conflict-of-Interest

---

The Title IX Coordinator manages the Title IX Team and acts with independence and authority, free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact the College President at 956-872-8366 or [president@southtexascollege.edu](mailto:president@southtexascollege.edu).

Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to the College President at 956-872-8366 or [president@southtexascollege.edu](mailto:president@southtexascollege.edu) or designee. Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator.

# Title IX Team Contact Information

---

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures may be made internally to:

## Title IX Coordinator

- **Todd C. Nelson**  
Title IX and 504 Coordinator  
*Contracts and Regulatory Resources Officer*  
3201 West Pecan Blvd. N 150  
McAllen, TX 78501  
(956) 862-4664  
[TitleIX@southtexascollege.edu](mailto:TitleIX@southtexascollege.edu)  
<https://www.southtexascollege.edu/about/notices/title-ix.html>

All members of the Title IX Team can be contacted by emailing [TitleIX@southtexascollege.edu](mailto:TitleIX@southtexascollege.edu).

## Title IX Deputy Coordinators

- **Claudia Olivares**  
*Director-Human Resources -Employee Relations and Title IX*



2501 West Pecan Blvd. A 116  
McAllen, TX 78501  
956-872-3799  
[TitleIX@southtexascollege.edu](mailto:TitleIX@southtexascollege.edu)

- **Celinda Salinas**  
*Director of Career and Employer Services*  
3201 West Pecan Blvd. U1.402  
McAllen, TX 78501  
956-872-6319  
[TitleIX@southtexascollege.edu](mailto:TitleIX@southtexascollege.edu)

## **Title IX Liaisons**

- **Mary G. Elizondo**  
*Vice President for Finance and Administrative Services*  
3201 West Pecan Blvd. X 224  
McAllen, TX 78501  
956-872-3558  
[TitleIX@southtexascollege.edu](mailto:TitleIX@southtexascollege.edu)
- **Antonio De La Cruz**  
*Director of Dual Credit Pathways*  
3201 West Pecan Blvd. A 137  
McAllen, TX 78501  
(956)872-2148  
[TitleIX@southtexascollege.edu](mailto:TitleIX@southtexascollege.edu)
- **Santa E. Pena**  
*Director of Counseling and Student Accessibility Services*  
3201 West Pecan Blvd. K2.216  
McAllen, TX 78501  
956-872-2140  
[TitleIX@southtexascollege.edu](mailto:TitleIX@southtexascollege.edu)
- **Monica M. Perez**  
*Academic Operations Officer – Academic Affairs*  
3201 West Pecan Blvd. X 210  
McAllen, TX 78501  
956-872-3522  
[TitleIX@southtexascollege.edu](mailto:TitleIX@southtexascollege.edu)

The College has also classified all employees as Mandated (“Mandatory”) Reporters of any knowledge they have that a member of the community is experiencing harassment,

discrimination, and/or retaliation. The section below on Mandatory Reporting details which employees have this responsibility and their duties accordingly.

### **Inquiries may be made externally to:**

- **Office for Civil Rights (OCR)**
  - **Texas Office**  
U.S. Department of Education  
1999 Bryan Street, Suite 1620  
Dallas, TX 75201-6810  
Telephone: 214-661-9600  
Facsimile: 214-661-9587  
TDD#: 800-877-8339  
Email: OCR.Dallas@ed.gov  
Webpage: <http://www.ed.gov/ocr>
  - **National Office**  
U.S. Department of Education  
Office of Civil Rights  
Lyndon Baines Johnson Department of Education Bldg.  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
Fax: 202-453-6012  
TDD#: 800-877-8339

### **For complaints involving employees: Equal Employment Opportunity Commission (EEOC)**

- **Texas Office**  
Equal Employment Opportunity Commission  
Legacy Oaks, Building A  
5410 Fredericksburg Road  
Suite 200  
San Antonio, TX 78229  
Telephone: 800-669-4000  
Fax: 210-281-7690; TTY: 800-669-6820
- **National Office**  
U.S. Equal Employment Opportunity Commission  
131 M Street, NE  
Washington, DC 20507

# Notice/Complaints of Discrimination, Harassment, and/or Retaliation

---

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- 1) File a complaint with, or give verbal or written notice to, the Title IX Coordinator or Deputy Coordinators at the contact information listed in the [Title IX Team Contact Information section](#). Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail, to the office listed for the Title IX Coordinator or any other official listed.
- 2) Report online, using the reporting forms posted at <https://www.southtexascollege.edu/report/index.html>. Anonymous reports are accepted and can lead to an investigation to determine if the parties can be identified, or if there is independent evidence to corroborate the anonymous report. If not, no further formal action is taken, though measures intended to protect the community may be enacted. The College tries to provide supportive measures to all Complainants, which is impossible with an anonymous report that does not identify the Complainant.

Because reporting carries no obligation to initiate a formal response and investigation, and because the College respects Complainant's requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of confidentiality by making a report that allows the College to discuss and/or provide supportive measures.

## Formal Complaint

A Formal Complaint means a document submitted or signed by the Complainant and/or signed by the Title IX Coordinator alleging a policy violation by a Respondent and

requesting that the College investigate the allegation(s). A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the [Title IX Team Contact Information section](#), or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that the College investigate the allegations.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

## Supportive Measures

---

The College will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available. They are offered without fee or charge to the parties to restore or preserve access to the College’s education program or activity, including measures designed to protect the safety of all parties and/or the College’s educational environment, and/or to deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the College will inform the Complainant, in writing, that they may file a formal complaint with the College either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The College will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair the College’s ability to provide those supportive measures. The College will act to ensure as minimal an academic/occupational impact on the parties as possible. The College will implement measures that do not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services

- Referral to the Office of Human Resources
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non-Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders will be referred to the appropriate student or employee conduct processes for enforcement.

## Emergency Removal

---

The College can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the [Behavioral Intervention Team \(BIT\)](#) using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s) but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be

permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under these Procedures to implement or stay an emergency removal and determine the conditions and duration. Violation of an emergency removal under these procedures will be grounds for discipline within the student or employee conduct processes, which may include expulsion or termination.

The College will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: restricting a student's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

When the Respondent is an employee, existing provisions outlined in [Disciplinary Action Administrative Procedures](#) for interim action are applicable instead of the emergency removal process.

## Promptness

---

All allegations are acted upon promptly by the College once it has received notice or a formal complaint. Complaints typically take 60-90 business days to resolve. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the College will avoid undue delays within its control.

Any time the general timeframes for resolution outlined in College procedures will be delayed, the College will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time needed as a result of the delay.

# Privacy

---

The College makes every effort to preserve the privacy of reports. The College will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of sex discrimination; any Respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conduct of an investigation, hearing, or grievance proceeding arising under that regulation.

In Texas, Chapter 51, Section 5.256, of the Education Code states that unless waived in writing by the alleged victim, the identity of the alleged victim of an incident is confidential and not subject to disclosure under Chapter 552 of the Government Code and may be disclosed only to (a) persons employed by or under contract with the postsecondary educational institution to which the report is made who are necessary to conduct an investigation of the report or any related hearings; (b) a law enforcement officer as necessary to conduct a criminal investigation of the report; (c) the person or persons alleged to have perpetrated the incident, to the extent required by other law; or (d) potential witnesses to the incident as necessary to conduct an investigation of the report.

The College reserves the right to determine which College officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to: the Office of Institutional Equity, Academic Affairs, the Office of Student Rights and Responsibility, Accountability, Risk, and Compliance, Department of Public Safety, and the Behavioral Intervention Team. Information will be shared as necessary with Investigators, Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The College may contact parents/guardians of students to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

Confidentiality and mandated reporting are addressed more specifically below.

# Jurisdiction of the College

---

These procedures apply to the educational program and activities of the College, to conduct that takes place on the campus or on property owned or controlled by the College, at College-sponsored events, and in buildings owned or controlled by College's recognized student organizations. The Respondent must be a member of the College's community and someone over whom the College has authority to take disciplinary action in order for these Procedures and their corresponding Policies to apply.

These Procedures and their corresponding Policies can also be applicable to the effects of off-campus misconduct that effectively deprives someone of access to the College's educational program. The College may also extend jurisdiction to off-campus and/or online conduct when the Title IX Coordinator determines that the conduct affects a substantial College interest.

Regardless of where the conduct occurred, the College will address all notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on-campus or in an off-campus sponsored program or activity. A substantial College interest includes:

- a. Any action that constitutes a criminal offense as defined by federal and/or Texas law and affects a right or interest of the College. This includes, but is not limited to, single or repeat violations that compromise the health and safety of the College community or is directed to a member of the College community
- b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee, or another individual;
- c. Any situation that significantly impinges upon the rights of others or significantly breaches the peace, and/or causes social disorder; and/or
- d. Any situation that is detrimental to the educational interests or mission of the College.

If the Respondent is unknown, or is not a member of the College's community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options. If criminal conduct is alleged, the College can assist the Complainant in contacting local or campus law enforcement if the individual would like to file a police report.



Further, even when the Respondent is not a member of the College's community, supportive measures, remedies, and resources may be provided to the Complainant by contacting the Title IX Coordinator.

In addition, the College may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from College property and/or events.

All vendors serving the College through third-party contracts are subject to the policies and procedures of their employers and/or to the policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to the College where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

## Time Limits on Reporting

---

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, the College will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint. Typically, the procedures and policies in this document only apply to incidents that occurred after August 14, 2020. For incidents that occurred prior to August 14, 2020, previous policies and current procedures will apply. Those versions are available from the Title IX Coordinator.

# Online Harassment and Misconduct

---

The policies of the College are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the College's educational program and activities, or when they involve the use of College networks, technology, or equipment.

Although the College may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to the College, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the College community.

However, any online posting or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring entirely outside of the College's control (e.g., not on College networks, websites, or between College email accounts) will only be subject to these Procedures and the corresponding Policies when such online conduct can be shown to cause a substantial in-program disruption or infringement on the rights of others.

Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided, but protected speech cannot legally be subjected to discipline.

Off-campus harassing speech by employees, whether online or in-person, may be regulated by the College only when such speech is made in an employee's official or work-related capacity.

## Policy on Nondiscrimination

---

The College adheres to all federal, state, and local civil rights laws and regulations prohibiting discrimination in public institutions of higher education.

The College does not discriminate against any employee, an applicant for employment, student, or applicant for admission on the basis of:

- Race,
- Religion,
- Hearing status,
- Color,
- Sex,
- Pregnancy,
- Ethnicity,
- National origin (including ancestry),
- Physical or mental disability (including perceived disability),
- Age,
- Sexual orientation,
- Gender identity,
- Gender expression,
- Veteran or military status (including disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, and Armed Forces Service Medal veteran),
- Predisposing genetic characteristics,
- or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus with the Equal Employment Opportunity Commission or another human/civil rights agency.

These procedures cover nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the College community whose acts deny, deprive, or limit the educational or employment [or residential and/or social] access, benefits, and/or opportunities of any member of the College community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above violates the College's policy on nondiscrimination.

When brought to the attention of the College, any such discrimination will be promptly and fairly addressed and remedied by the College according to the appropriate grievance process described below.

# Disability Discrimination and Accommodation

---

The College is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal, state and local laws and regulations pertaining to individuals with disabilities. See policy [DAA — Employment Objectives: Equal Employment Opportunity](#), the [College's Section 504/ADA Accommodation Appeal Grievance Procedure](#), and [Process B](#) for further information.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the College, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

The Title IX Coordinator has also been designated as the College's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

Grievances related to disability status and/or accommodations will be addressed using the College's [Section 504/ADA Accommodation Appeal Grievance Procedure](#). For details relating to disability accommodations in the College's resolution process, consult the Frequently Asked Questions (FAQ's) on the College's [Title IX Website](#). Individuals who would like to discuss the administration of accommodations in the College's Grievance Procedures are also encouraged to contact the Title IX Coordinator.

## Policy on Discriminatory Harassment

---

Students, staff, administrators, and faculty are entitled to an employment and

educational environment that is free of discriminatory harassment. This policy is not

meant to inhibit or prohibit educational content or discussions inside or outside the classroom, including germane but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under college policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of College policy, though supportive measures will be offered to those impacted. All offense definitions encompass actual and/or attempted offenses.

## **Discriminatory Harassment**

Discriminatory harassment constitutes a form of discrimination that is prohibited by college policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law.

The College does not tolerate discriminatory harassment of any employee, student, visitor, or third-party. The College will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a “hostile environment.”

A hostile environment is one that is sufficiently severe, pervasive and objectively offensive such that it unreasonably interferes with, limits, or effectively denies an individual’s educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, and/or physical conduct.

When discriminatory harassment rises to the level of creating a hostile environment, the College may impose sanctions on the Respondent by applying the appropriate grievance process detailed below.

The College reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is generic and not based on a protected status. Addressing such conduct will not result in the imposition of discipline under college policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternative Resolution, and/or other informal resolution mechanisms.

For assistance with Alternative Resolution and other informal resolution techniques and approaches, employees should contact the Director of Human Resources, and

students should contact either the Title IX Coordinator or the Office of Student Rights and Responsibilities.

## Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Texas regard sexual harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice. The College has adopted the following definition of sexual harassment in order to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity/expression of those involved.

Sexual harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking defined as:

Conduct on the basis of sex or that is sexual in nature that satisfies one or more of the following:

- 1) **Quid Pro Quo:**
  - a. an employee of the College,
  - b. conditions the provision of aid, benefit, or service of the recipient,
  - c. on an individual's participation in unwelcome sexual conduct.
- 2) **Sexual Harassment:**
  - a. unwelcome conduct,
  - b. determined by a reasonable person,
  - c. to be so severe, and
  - d. pervasive, and,
  - e. objectively offensive,
  - f. that it effectively denies a person equal access to the College's education program or activity.
- 3) **Sexual assault**, defined as:

- a. **Any sexual act**<sup>3</sup> directed against a Complainant<sup>4</sup>,
  - o Without their consent, or,
  - o Instances in which the Complainant is incapable of giving consent.<sup>5</sup>
- b. **Incest:**
  - o Non-forcible sexual intercourse,
  - o between persons who are related to each other,
  - o within the degrees wherein marriage is prohibited by Texas law.
- c. **Statutory Rape:**
  - o Non-forcible sexual intercourse,
  - o With a person who is under the statutory age of consent of 17.

4) **Dating Violence**, defined as:

- a. violence,
- b. on the basis of sex,

---

<sup>3</sup> A “sexual act” is specifically defined by federal regulations to include one or of the following:

Rape:

- The carnal knowledge of a Complainant or Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person,
- Without their consent,
- Including circumstances where they are incapable of giving consent because of age or because of a temporary or permanent mental or physical incapacity.

Sodomy:

- Oral or anal sexual intercourse with a Complainant,
- Forcible, and/or
- Against their will (non-consensually), or
- Not forcibly or against their will instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object:

- The use of an object or instrument to penetrate,
- However slightly,
- The genital or anal opening of the body of the Complainant,
- Forcibly, and/or
- Against their will (non-consensually), or
- Not forcibly or against their will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Fondling:

- The touching of the private body parts of the Complainant (buttocks, groin, breasts),
- For the purpose of sexual gratification,
- Forcibly, and/or
- Against their will (non-consensually), or
- Not forcibly or against their will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

<sup>4</sup> This would include having another person touch you sexually, forcibly, and/or without their consent.

<sup>5</sup> In circumstances of incapacity the standard for finding an individual responsible requires a knew or should have known application.



- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
  - I. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
  - II. Dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse.
  - III. Dating violence does not include acts covered under the definition of domestic violence.

5) **Domestic Violence**<sup>6</sup> ("Family Violence" under Texas law), defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Texas, or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Texas.

6) **Stalking**, defined as:

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person that
  - i. would cause a reasonable person to fear for the person's safety, or
  - ii. the safety of others; or

---

<sup>6</sup> To categorize an incident as Domestic Violence under College Policy and these Procedures, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have intimate relationship.

iii. Suffer substantial emotional distress.

For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- (iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

The College prohibits employees from entering consensual romantic or sexual relationships with each other if one is the direct or indirect supervisor of the other. The College prohibits faculty members and students from entering consensual romantic or sexual relationships with each other if one is the instructor of the other.

Employees in a supervisory subordinate relationship are prohibited from explicitly or implicitly suggesting or recommending, or agreeing that either employee transfer or be transferred to another position or leave employment with the intention of circumventing college policy, and these procedures.

Individuals in an instructor-student relationship are prohibited from explicitly or implicitly suggesting or recommending, or agreeing that the student enrolled in the faculty member's class drop or withdraw from enrollment in the class or the College or that the faculty member withdraw from the class or from employment with the college to circumvent college policy, these procedures, or any other applicable policies and procedures.

The prohibition on consensual relationships applies for the duration of the supervisor-subordinate or instructor-student relationship and for the period of one calendar year after such relationship has ended.

The College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under college policy, or these Procedures as described herein.

## Other Civil Rights Offenses

In addition to the forms of sexual harassment described above, which are covered by Title IX, the College additionally prohibits the following offenses as forms of discrimination that may be within or outside of Title IX when the act is based upon the Complainant's actual or perceived membership in a protected class.

- Sexual Exploitation is defined as an individual taking non-consensual or abusive sexual advantage of another for their own benefit or the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:
  - Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
  - Invasion of sexual privacy
  - Taking pictures, video, or audio recording of another in a sexual act, or in any other
  - sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography
  - Prostituting another person
  - Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection
  - Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
  - Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections

- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
  - Knowingly soliciting a minor for sexual activity
  - Engaging in sex trafficking
  - Creation, possession, or dissemination of child pornography;
- Threatening or causing physical harm; extreme verbal, emotional, or psychological abuse; or other conduct which threatens or endangers the health or safety of any person;
- Discrimination, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
- Bullying, defined as:
  - Repeated and/or severe
  - Aggressive behavior
  - Likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally
  - That is not speech or conduct otherwise protected by the First Amendment.

Violation of any other College policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed Civil Rights Offenses range from reprimand to expulsion/termination.

## Standards for Analysis

As used in the offenses above, the following definitions and understandings apply:

**Force:** is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily defined by the degree of force. While resistance is not required or necessary, it is a clear demonstration of non-consent. Consent is not demonstrated by the absence of resistance. Silence or the absence of resistance alone does not necessarily constitute consent.

**Coercion:** Coercion is an unreasonable amount of pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Consent is:**

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to automatically constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the College to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar and previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so the College's evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to the policy that assumes non-kink relationships as a default.

**Incapacitation:** A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who they know or reasonably should have known is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, and how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

## Retaliation

---

Protected activity under this policy includes reporting an incident that may implicate these Procedures and their corresponding Policies, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this policy.

The College and any member of the College's community are prohibited from taking or attempting to take a materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in, in any manner, an investigation, proceeding, or hearing under this policy and procedure.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The College will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

# Mandated Reporting

---

All College employees (faculty, staff, administrators) are required to report actual or suspected discrimination, harassment, and/or retaliation to appropriate officials immediately, although there are some limited exceptions.

All employees of the College, including student employees when they are acting in the course and scope of their employment, with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Failure of a Mandated Reporter, to report an incident of harassment or discrimination of which they become aware is a violation of college policy and Texas law and can be subject to disciplinary action, up to and including termination, as well as civil and criminal penalties, for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though the College is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Title IX Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or seek a specific response from the College. Supportive measures may be offered as the result of such disclosures without further formal action by the College.



Reporting to any Mandated Reporter can connect a Complainant with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at the College for a Complainant or third-party (including parents/guardians when appropriate):

On-campus, some individuals may maintain confidentiality and are not required to report actual or suspected discrimination or harassment in a manner that identifies the parties. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

#### **a. Confidential Resources**

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- On-campus licensed professional counselors<sup>7</sup>
- Ombuds person
- Off-campus (non-employees):
  - Licensed professional counselors and other medical providers
  - Local rape crisis counselors
  - Domestic violence resources
  - Local or state assistance agencies
  - Clergy/Chaplains
  - Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, professional credentials, or official designation, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order. The contact information for these resources, as well as specific names of the off-campus resources, can be found on the College's [Title IX Website](#).

---

<sup>7</sup> No other staff members from the Counseling and Student Accessibility Services (CSAS) Office are designated as confidential resources. Such CSAS staff members who are explicitly not designated as confidential resources, include, but are not limited to, department secretary, student success specialists, and sign language interpreters.

Campus counselors are available to help free of charge and may be consulted on an emergency basis during normal business hours.

Employees who have confidential privileges as described above, and who receive reports within the scope of their confidential roles, will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

#### **b. Anonymous Reports**

An anonymous notice will be investigated by the College to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures can be provided.

However, anonymous notice typically limits the College's ability to investigate, respond, and provide remedies, depending on what information is shared.

## **When a Complainant Does Not Wish to Proceed**

---

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether the College proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process, usually upon completion of an appropriate violence risk assessment.

The Title IX Coordinator's decision should be based on results of the violence risk assessment that show a compelling risk to physical health and/or safety that requires the College to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The College may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the College's ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When the College proceeds, the Complainant (and/or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that the College's ability to remedy and respond to notice may be limited if the Complainant does not want the College to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the College's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the College to honor that request, the College will offer informal resolution options (see below) and supportive measures to the Complainant and the community but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by the College and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence or present issues with respect to the status of the parties.

## **Federal Timely Warning Obligations**

---

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, the College must issue timely warnings for

incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

The College will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

## **False Allegations and Evidence**

---

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under college policy.

## **Amnesty for Complainants and Witnesses**

---

The College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to College officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the College community that Complainants choose to report misconduct to College officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, the College maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

# Process A: Title IX Regulatory Resolution Process

---

## Overview

The College will act on any formal or informal notice/complaint of a violation of sexual harassment as defined by the 2020 Title IX regulations received by the Title IX Coordinator or any other Official with Authority by applying these procedures, known as “Process A.”

The procedures below apply only to qualifying allegations of sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) involving students, staff, administrators, or faculty members.

If other policies are invoked, such as policies on protected class harassment or discrimination above, please see the section on Process B for a description of the procedures applicable to the resolution of such offenses, known as “Process B.”

Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the Title IX Coordinator.

Unionized/other categorized employees are subject to the terms of their agreements/employees’ rights to the extent those agreements do not conflict with federal or state compliance obligations.

The procedures below may be used to address collateral misconduct (e.g., vandalism, physical abuse of another). arising from the investigation of or occurring in conjunction with reported misconduct that is subject to this policy (All other allegations of misconduct unrelated to incidents covered by this policy will be addressed through procedures described in the student, faculty, and staff handbooks.

## Notice/Complaint

Upon receipt of a formal complaint or notice to the Title IX Coordinator of an alleged violation of the policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps the College needs to take.

The Title IX Coordinator will initiate at least one of three responses:

- 1) Offering supportive measures because the Complainant does not want to file a formal complaint; and/or
- 2) An informal resolution (upon submission of a formal complaint); and/or
- 3) A Formal Grievance Process including an investigation and a hearing (upon submission of a formal complaint).

The College uses the Formal Grievance Process to determine whether or not the policy has been violated. If so, the College will promptly implement effective supportive measures designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

## Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this policy, the Title IX Coordinator engages in an initial assessment, typically within one to five business days. The steps in an initial assessment can include:

- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
  - If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, assess their request(s), and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
  - If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint themselves because a violence risk assessment indicates a compelling threat to health and/or safety.
- If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.

- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- If Complainant wishes an informal resolution, they are made aware that they must first file a Formal Complaint. If the informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution and will seek to determine if the Respondent is also willing to engage in informal resolution.
- If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX regulatory standards:
- If it does, the Title IX Coordinator will initiate the formal investigation and grievance process. If alleged misconduct does not fall within the scope of the Title IX regulatory standards, the Title IX Coordinator determines that Title IX does not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply, which resolution process is applicable, and will refer the matter accordingly, including referring the matter for resolution under Process B if applicable. Please note that dismissing a complaint under Title IX is solely a procedural requirement under Title IX regulations which does not limit the College’s authority to address a complaint with an appropriate process and remedies.

#### **a. Violence Risk Assessment**

In some cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the Behavior Intervention Team (BIT) as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of immediate threat to an individual or the community’s physical health/safety;
- Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant;
- Whether it is reasonable to try to resolve a complaint through informal resolution, and, if so, what approach may be most successful;
- Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- Whether a Clery Act Timely Warning/Trespass order/Persona-non-grata is needed.

A VRA authorized by the Title IX Coordinator should occur in collaboration with the BIT/CARE or threat assessment team. When a VRA is required by the Title IX Coordinator, a Respondent's refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

More about the College's process for VRA can be found below [here](#) on the College's website.

**b. Dismissal (Mandatory and Discretionary)**

The College must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the formal complaint would not constitute sexual harassment as defined above, even if proved; and/or
- 2) The conduct did not occur in an educational program or activity controlled by the College (including buildings or property controlled by recognized student organizations), and/or the College does not have control of the Respondent; and/or
- 3) The conduct did not occur against a person in the United States; and/or
- 4) At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of the College.

The College may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- 1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- 2) The Respondent is no longer enrolled in or employed by the College; or
- 3) Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the College will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.



This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

Please note that dismissing a formal complaint or report under this policy is solely a procedural requirement under the law and does not limit the College's authority to address a complaint or report with the appropriate process and remedies, including but limited to through Process B as described later in these Procedures.

## Counterclaims

The College is obligated to ensure that the grievance process is not abused for retaliatory purposes. The College permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a Respondent may be made in good faith but are, on occasion, made for purposes of retaliation instead. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may occur after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

## Right to an Advisor

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Choosing an Advisor who is also a witness in the process creates a potential for bias and conflict of interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

The College may permit parties to have more than one Advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator and will be granted equitably to all parties.

## **Resolution Processes**

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with College policies.

Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose as part of an Informal Resolution, discussed below. The College encourages parties to discuss any sharing of information with their Advisors before doing so.

The Formal Grievance Process is the College's primary resolution approach, unless Informal Resolution is elected by all parties and the College. Three options for Informal Resolution are detailed in this section, and the Formal Grievance Process is detailed in the next section.

### **A. Informal Resolution**

- a. Supportive Resolution. When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- b. Alternative Resolution. When the parties agree to resolve the matter through an alternative resolution mechanism.
- c. Accepted Responsibility. When the Respondent accepts responsibility for violating policy and desires to accept a sanction and end the resolution process (similar to above, but usually occurs post-investigation), see discussion in section C. below.

To initiate Informal Resolution, a Complainant must submit a formal complaint, as defined above. A Respondent who wishes to initiate Informal Resolution should contact the Title IX Coordinator.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, the College will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the College.

The College will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution. If Informal Resolution is unsuccessful and the matter moves to the Formal Grievance Process, neither the fact that Informal Resolution was attempted nor any statements made during the Informal Resolution will be disclosed to the decision-maker(s).

## **B. Alternative Resolution Mechanism**

Alternative Resolution is an informal mechanism by which the parties reach a mutually agreed upon resolution of an allegation. All parties must consent to the use of an Alternative Resolution approach.

The Title IX Coordinator may consider the following factors to assess whether an Alternative Resolution is appropriate:

- The parties' amenability to Alternative Resolution;
- Likelihood of potential resolution, considering any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Results of a violence risk assessment/ongoing risk analysis (if appropriate)
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Alternative Resolution facilitator with this type of allegation;
- Complaint complexity;
- Emotional investment/capability of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Alternative Resolution (time, staff, etc.)

The ultimate determination of whether an Alternative Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator is authorized to negotiate a resolution that is acceptable to all parties and/or to

accept a resolution that is proposed by the parties, usually through their Advisors.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution or Alternative Resolution are not appealable.

## **C. Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether the Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the College are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of College policy and implements agreed-upon remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

## **Formal Grievance Process**

The Formal Grievance Process relies on a pool of administrators (“the Pool”) to carry out the process. Members of the Pool are announced in an annual distribution of these procedures to all students, parents/guardians of students, employees, prospective students, and prospective employees.

The list of Pool members and a description of the Pool can be found on the College’s [Title IX Website](#).

## **Formal Grievance Process: Notice of Investigation and Allegations**

The Title IX Coordinator will provide written notice of the investigation and allegations (NOIA) to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official College records, or emailed to the parties' College-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

## **Resolution Timeline**

The College will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal if any, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

## **Appointment of Investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator will appoint an investigator or investigators to conduct the investigation, usually within two (2) business days of determining that an investigation should proceed.

## **Ensuring Impartiality**

Any individual materially involved in the administration of the resolution process, including the Title IX Coordinator, Investigator(s), and Decision-maker(s), may neither have nor demonstrate a conflict of interest or bias for a party generally or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) for impartiality by ensuring no actual or apparent conflicts of interest or disqualifying biases. The

parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the College President.

The College operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

## **Investigation Timeline**

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

The College will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

## **Delays in the Investigation Process and Interactions with Law Enforcement**

If circumstances require it, the College may undertake a short delay in its investigation (several days to a few weeks). Such circumstances include, but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The College will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. The College will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the College will implement supportive measures as deemed appropriate.

College action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

## Steps in the Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record. Recordings of interviews are not provided to the parties, but the parties will have the ability to review the transcript/summary of the interview once the investigation report is compiled.

### Investigative Actions

- Upon conclusion of the investigation, the investigator will write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included.
- The Investigator(s) gather and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the College does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period.
- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The

parties are also provided with a file of any directly related evidence that was not included in the report.

## **Role and Participation of Witnesses in the Investigation**

Witnesses (as distinguished from the parties) who are employees of the College are strongly encouraged to cooperate with and participate in the College's investigation and resolution process. Witnesses outside the College's community are encouraged to cooperate with the College's investigations and share what they know about a complaint.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely if the Investigator(s) determine that timeliness, efficiency, or other reasons dictate a need for remote interviewing. The College will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred.

## **Recording of Interviews**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties should be made aware of audio and/or video recording. Texas has a "one-party consent" law that requires that only one party to the conversation has to consent to audio and/or video recording.

## **Evidentiary Considerations in the Investigation**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.



Within the boundaries stated above, the investigation can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

## **Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, the Title IX Coordinator will refer the matter for a hearing once the final investigation report is shared with the parties.

The hearing cannot be held less than ten (10) business days from the conclusion of the investigation—when the final investigation report is transmitted to the parties and the Decision-maker—unless all parties and the Decision-maker agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Decision-maker or Decision-makers.

## **Hearing Decision-maker Composition**

The College will designate a single Decision-maker or a three-member panel, at the discretion of the Title IX Coordinator. The single Decision-maker will also Chair the hearing. With a panel, one of the three members will be appointed as Chair by the Title IX Coordinator.

The Decision-maker(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the hearing process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and, therefore, may not serve as Decision-makers. Those who are serving as Advisors for any party may not serve as Decision-makers in that matter.

The Title IX Coordinator may not serve as a Decision-maker or Chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time and venue determined by the Chair or designee.

## **Evidentiary Considerations in the Hearing**

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility, as the College uses a progressive discipline system. However, this information is only considered at the sanction stage of the process and is not shared until then.

After post-hearing deliberation, the Decision-maker(s) render(s) a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the policy as alleged.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached.

## Notice of Hearing

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties. Notice will be presumed delivered once mailed, emailed, and/or received in-person.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- Description of any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request

must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.

- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker(s) on the basis of demonstrated bias or conflict of interest. This must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker(s). For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and the College will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision-maker(s) will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing at least five (5) business days prior to the hearing.
- Whether parties can/cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the College and remain within the 60-90 business day goal for resolution.

## **Alternative Hearing Participation Options**

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator or the Chair at least five (5) business days prior to the hearing.

The Title IX Coordinator or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may

also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator or the Chair know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

## Hearing Procedures

At the hearing, the Decision-maker(s) has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within policies on Freedom from Discrimination, Harassment, and Retaliation.

Participants at the hearing will include the Chair, any additional panelists, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties (or three (3) organizational representatives when an organization is a Respondent), Advisors to the parties, any called witnesses, the Title IX Coordinator, and anyone providing authorized accommodations, interpretation, and/or assistive services.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker(s) and the parties, and the witnesses will then be excused.

Detailed information about the hearing process can be found here on the College's Title IX website, including:

- Pre-hearing Preparation
- Pre-hearing meeting
- Order of the hearing
- Investigator's presentation of the final investigation report
- Testimony and questioning
- Participation in cross-examination and inferences
- Deliberation, decision-making, and standard of proof
- Notice of outcome

Detailed information about the hearing can be found here on the [College's Title IX website](#). Each party and their respective advisor(s) will all also receive a Process A Hearing Guide containing the same detailed information about the hearing process when/if the Complaint goes to a formal hearing.

## Joint Hearings

In hearings involving more than one Respondent, or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

## Recording Hearings

Hearings (but not deliberations) are recorded by the College for purposes of review in the event of an appeal. The parties may not record the proceedings, and no other unauthorized recordings are permitted.

The Decision-maker(s), the parties, their Advisors, and appropriate administrators of the College will be permitted to listen to the recording or review a transcript of the recording in a controlled environment determined by the Title IX Coordinator, upon request. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

## Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a grievance process at any time, and(or) referring that information to another process for resolution.

## A. Student Sanctions

Sanctions relating to students will typically be administered by the Office of Student Rights and Responsibilities and in consultation with the Title IX Coordinator. The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:<sup>8</sup>

- *Warning*: A formal statement that the conduct was unacceptable and a warning that further violation of any College policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Probation*: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Community Service*: A specific number of hours of community service be served per terms of the sanction.
- *Loss of Privileges*: A denial of specified privileges for a designated period of time.
- *Campus or Academic Reassignment*: Reassignment to another South Texas College campus or academic setting.
- *Required Mental Health Assessment and/or Treatment*: A requirement for either remaining enrolled at the College or returning once a sanction is completed, the College may require an assessment for risk or that the

---

<sup>8</sup> College policies are transcript notation will apply to these proceedings.

student attend College-sponsored or external counseling to better comprehend the misconduct and its effects.

- *Suspension*: Separation from the College for a specific period of time, not to exceed two years and/or until specific criteria are met. The individual is required to vacate the campus immediately, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested. However, the deadline may be extended upon application to and the discretion of the Title IX Coordinator. During the suspension period, the individual is banned from College property, functions, events, and sponsored activities. This sanction may be enforced with a trespass action if necessary. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the College.
- *Expulsion*: The removal and permanent separation from the College. The individual is banned from College property and their presence at any College-sponsored activity or event is prohibited. This sanction may be enforced with a trespass action if necessary. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript subject to any applicable expungement policies.
- *Eligibility Restriction*: Restriction from use of or denial of specified College services, including participation in College activities. The student is deemed "not in good standing" with the College for a specified period of time. Specific limitations or exceptions may be implemented by the Title IX Coordinator and may include, but are not limited to:
  - Ineligibility to hold any office in any student organization recognized by the College or hold an elected or appointed office at the College; or
  - Ineligibility to represent the College to anyone outside the College community, including participating in a study abroad program, attending conferences, or representing the College at any official function, event, or intercollegiate competition as a player, manager or coach, etc.
- *Delayed Conferral of Degree*: The College may delay issuance of a student's degree for a specified period of time or until the student meets certain conditions.
- *Revocation of Degree*: The College reserves the right to revoke a degree previously awarded from the College for fraud, misrepresentation, and/or other violation of College policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

- **Withholding of Official Transcript, Degree, or Certificate:** The College may withhold the official transcript, degree, or certificate of completion; or deny, not recognize, or revoke a degree.
- **Non-Academic Transcript Notation:** In accordance with Texas state law, House Bill 449, postsecondary educational institutions are **required** to include on the student's transcript, official or unofficial, a disciplinary notation if the student has been suspended or expelled.
- **Other Actions:** In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

## **B. Employee Sanctions/Responsive/Corrective Actions**

Sanctions relating to employees will typically be administered by the Office of Human Resources in consultation with the Title IX Coordinator. Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include the below and are not required to be progressive. See [College Disciplinary Action Administrative Procedures](#) for the complete definition of the below:

- *Verbal Warning*
- *Written Reprimand*
- *Conduct and Performance Improvement Plan*
- *Suspension Without Pay*
- *Suspension With Pay*
- *Termination*
- *Enhanced supervision, Observation, or Review*
- *Required Counseling*
- *Required Training or Education*
- **Other Actions:** In addition to or in place of the above sanctions/responsive actions, the College may assign any other responsive actions as deemed appropriate.

# **Withdrawal or Resignation Before Complaint Resolution**

## **A. Students**

Should a Respondent decide not to participate in the resolution process, the



process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the College, the resolution process typically ends with a dismissal, as the College has lost primary disciplinary jurisdiction over the withdrawn student. However, the College may continue the resolution process when, at the discretion of the Title IX Coordinator, doing so may be necessary to address safety and(or) remedy any ongoing effects of the alleged harassment, discrimination, and(or) retaliation.

Regardless of whether the complaint is dismissed or pursued to completion of the resolution process, the College will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and(or) retaliation.

If the student Respondent only withdraws or takes a leave of absence for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and, if found in violation, that student is not permitted to return to the College unless and until all sanction, if any, have been satisfied.

## **B. Employees**

Should an employee Respondent resign with unresolved allegations pending, the resolution process ends with dismissal, as the College has lost primary disciplinary jurisdiction over the resigned employee. However, the College may continue the resolution process when, at the discretion of the Title IX Coordinator, doing so may be necessary to address safety and(or) remedy any ongoing effects of the alleged harassment, discrimination, and(or) retaliation.

Regardless of whether the matter is dismissed or pursued to completion of the resolution process, the College will continue to address and remedy any systemic issues or concerns that contributed to the alleged violation(s) and any ongoing effects of the alleged harassment, discrimination, and(or) retaliation.

The employee who resigns with unresolved allegations pending is not eligible for academic admission or rehire with the College or any College location, and the records retained by the Title IX Coordinator will reflect that status.

All College responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

# Appeals

Any party may submit a request for an appeal (“Request for Appeal”) to the Title IX Coordinator within 10 business days of the delivery of the Notice of Outcome.

The Title IX Coordinator will designate a three-member appeal panel. No Appeal Decision-maker(s) will have been previously involved in the resolution process for the complaint, including in any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to the Appeal Panel or designee for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

Additional information about the Appeal Process can be found [here](#) on the College’s Title IX website.

## A. Grounds for Appeal

Appeals are limited to the following grounds:

- a) Procedural irregularity that affected the outcome of the matter;
- b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- c) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this policy, that request will be denied by the Appeal Panel, and the parties and their Advisors will be notified in writing of the denial and the rationale.

A Notice of Appeal Outcome will be sent to all parties simultaneously, including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result, which the College is permitted to share according to state or federal law, and the rationale supporting the essential findings, to the extent the College is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' College-issued email address or otherwise approved account. Notice will be presumptively delivered once mailed, emailed, and/or received in-person.

## **B. Sanctions Status During the Appeal**

Any sanctions imposed as a result of the hearing are stayed (not implemented) during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then the emergency removal procedures, as explained in a previous section for a show cause meeting on the justification for doing so, must be permitted within 48 hours of implementation.

## **Long-Term Remedies/Other Actions**

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Education to the individual and/or the community
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by the College to the Respondent to ensure no effective denial of educational access.

The College will maintain the privacy of any long-term remedies/actions/measures, provided that privacy does not impair the College's ability to provide these services.

## **Failure to Comply with Sanctions and/or Responsive Actions**

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the College.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

## **Recordkeeping**

The College will maintain for a period of at least seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the College's education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. The College will make these training materials publicly available on the College's website; and
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:

- a. The basis for all conclusions that the response was not deliberately indifferent;
- b. Any measures designed to restore or preserve equal access to the College's education program or activity; and
- c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The College will also maintain any and all records in accordance with state and federal laws. [Refer to Policy FJ \(Local\) — Student Records](#), the [Student Handbook](#) (for student related records), and the [Employee Handbook](#) (for employee related records) for more information regarding the College's records retention policies and procedure for requesting records.

## Process B

---

If Process A is applicable, Process A must be applied in lieu of Process B.

Process B is applicable when the Title IX Coordinator determines Process A is inapplicable or offenses subject to Process A have been dismissed.

### **RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF COLLEGE POLICY THAT DOES NOT CONSTITUTE SEXUAL HARASSMENT UNDER TITLE IX REGULATORY SECTION 106.30, AND ALLEGED VIOLATIONS OF EQUAL EDUCATION AS IT APPLIES TO STUDENTS**

The College will act on any formal or informal allegation or notice of violation(s) of College as it applies to students that is received by the Title IX Coordinator or a member of the administration, faculty, or another employee, with the exception of confidential resources, as articulated in these procedures and the aforementioned policies.

#### **When Process B Applies**

The procedures described below apply to all allegations of harassment, discrimination, and/or retaliation on the basis of sex that involves students, staff, faculty, or third parties, that are not subject to Process "A,"

The procedures described below also apply to all allegations of harassment, discrimination, and/or retaliation on the basis of any other protected characteristic status involving students.

These procedures may also be used to address collateral misconduct arising from the investigation of or occurring in conjunction with harassing, discriminatory, or retaliatory conduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by this policy will be addressed through the procedures elaborated in the respective student, faculty, and staff handbooks.

## Initial Assessment

Following intake, receipt of notice, or a complaint of an alleged violation of policy on Freedom from Discrimination, Harassment, and Retaliation and Equal Education Opportunity as it applies to the student, the Title IX Coordinator engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they have an Advisor.
- The Title IX Coordinator works with the Complainant to determine which of three options to pursue: A Supportive Response, an Informal Resolution, or an Administrative Resolution.
  - **Supportive Response:** measures to help restore the Complainant's education access
    - a. If a Supportive Response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. An Administrative Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.
  - **Informal Resolution:** typically used for less serious offenses and only when all parties agree to Informal Resolution or when the Respondent is willing to accept responsibility for violating policy
    - a. If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available, and may seek to determine if the Respondent is also willing to engage in Informal Resolution.

- **Administrative Resolution:** Investigation of a policy violation(s) and recommended finding(s), subject to a determination by the Title IX Coordinator or Decision-maker(s) and the opportunity to appeal
  - a. If Administrative Resolution is preferred, the Title IX Coordinator initiates the investigation process.

The investigation and the subsequent Administrative Resolution determine whether policy on Freedom from Discrimination, Harassment, and Retaliation or Equal Education Opportunity as it applies to students has been violated. If so, the College will promptly implement effective remedies designed to end the discrimination, prevent a recurrence, and address the effects.

The process followed considers the preference of the parties but is ultimately determined at the discretion of the Title IX Coordinator. At any point during the initial assessment or formal investigation, if the Title IX Coordinator determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the parties will be notified.

The Complainant may request that the Title IX Coordinator review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the Title IX Coordinator, but the request is usually only granted in extraordinary circumstances.

## Counterclaims

Counterclaims by the Respondent may be made in good faith but are also sometimes made for purposes of retaliation. The College is obligated to ensure that any process is not abused for retaliatory purposes.

The College permits the filing of counterclaims but uses the [initial assessment](#) described above in the policy section to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after the resolution of the underlying allegation.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

## Advisors

The parties may each have an Advisor of their choice present with them for all

meetings, interviews, and hearings within the resolution process, if they so choose.



The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Choosing an Advisor who is also a witness in the process creates a potential for bias and conflict of interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

The College may permit parties to have more than one Advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator and will be granted equitably to all parties.

## Resolution Options

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with college policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose but are encouraged to discuss with their Advisors first before doing so.

### A. Informal Resolution

Informal Resolution is applicable when the parties voluntarily agree to resolve the matter through Alternate Resolution (mediation, restorative practices, facilitated dialogue, etc.), when the Respondent accepts responsibility for violating policy, or when the Title IX Coordinator can resolve the matter informally by providing remedies to resolve the situation.

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process. Further, if an Informal Resolution fails after the resolution is finalized, an Administrative Resolution may be pursued.

#### i. Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent accepts responsibility, the Title IX Coordinator makes a determination that the individual is in violation of college policy.

The Title IX Coordinator then determines appropriate sanction(s) or responsive actions, which are promptly implemented in order to effectively stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the conduct, both on the Complainant and the community.

If the Respondent accepts responsibility for all of the alleged policy violations and the Title IX Coordinator or designee has determined appropriate sanction(s) or responsive actions, which are promptly implemented, the process is over. The Complainant will be informed of this outcome.

If the Respondent accepts responsibility for some of the alleged policy violations and the Title IX Coordinator has determined appropriate sanction(s) or responsive actions, which are promptly implemented, for those violations, then the remaining allegations will continue to be investigated and resolved. The Complainant will be informed of this outcome. The parties are still able to seek an Alternate Resolution on the remaining allegations, subject to the stipulations above.

## **B. Administrative Resolution**

Administrative Resolution can be pursued for any behavior for which the Respondent has not accepted responsibility that constitutes conduct covered by policy on Freedom from Discrimination, Harassment, and Retaliation or Equal Education Opportunity as it applies to students at any time during the process. Administrative Resolution starts with a thorough, reliable, and impartial investigation.

If Administrative Resolution is initiated, the Title IX Coordinator will provide written notification of the investigation to the parties at an appropriate time during the investigation. Typically, notice is given at least 48 hours in advance of an interview. Advanced notice facilitates the parties' ability to identify and choose an Advisor, if any, to accompany them to the interview.

Notification will include a meaningful summary of the allegations, will be made in writing, and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official College records, or emailed to the parties' designated email account.

Notice will be presumed delivered once mailed, emailed, and/or received in-

person. The notification should include the policies allegedly violated if known at

the time. Alternatively, the allegedly violated policies can be provided later, in writing, as the investigation progresses, and details become clearer.

The College aims to complete all investigations within a sixty (60) business day period, which can be extended as necessary for appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate.

Once the decision is made to commence an investigation, the Title IX Coordinator appoints an investigator(s) to conduct the investigation. Detailed information regarding the Investigation Process can be found [here](#) on the College's Title IX website.

The investigator(s) gather and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of the report.

The investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any relevant evidence, make necessary revisions, and finalize the report.

## Determination

Within two to three (2-3) business days of receiving the Investigator's report, the Title IX Coordinator or a trained, designated Decision-maker from the Pool<sup>9</sup> reviews the report and all responses and then makes the final determination on the basis of the preponderance of the evidence.

If the record is incomplete, the Title IX Coordinator/Decision-maker may direct a re-opening of the investigation or may direct or conduct any additional inquiry necessary, including informally meeting with the parties or any witnesses, if needed.

The Title IX Coordinator or Decision-maker may invite and consider impact and/or mitigation statements from the parties if and when determining appropriate sanction(s), if any.

---

<sup>9</sup> In those cases where the Title IX Coordinator is the investigator or has been heavily involved in the process prior to determination, a Decision-maker from the Pool shall be designated to ensure there is no conflict of interest.

# **Additional Details of the Investigation Process**

## **A. Witness responsibilities**

Witnesses (as distinguished from the parties) who are faculty or staff of the College are expected to cooperate with and participate in the College's investigation and resolution process. Failure of a witness to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may be subject to discipline.

## **B. Remote processes**

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) and/or Decision-maker determine that timeliness, efficiency, or other causes dictate a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by the Investigator(s), though this approach is not ideal. When remote technologies are used, the College makes reasonable efforts to ensure privacy and ensures that any technology does not work to the detriment of any party or subject them to unfairness.

## **C. Recording**

No unauthorized audio or video recording of any kind is permitted during the resolution process, including investigative interviews. If Investigator(s) elect to audio and/or video record interviews, all involved parties should be made aware of the audio and/or video recording. Texas has a "one-party consent" law that requires that only one party to the conversation consents to the recording.

## **D. Evidence**

Any relevant and credible evidence may be considered as well as evidence indicating a pattern of misconduct, subject to the limitation in (E) below. The process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

## **E. Prior Sexual History/patterns**

Unless the Title IX Coordinator /Decision-maker determines it is appropriate, the investigation and the findings do not consider: (1) incidents not directly related to possible violation(s) unless they evidence a pattern; (2) the irrelevant sexual

history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); and (3) irrelevant character evidence.

## **F. Previous allegations/violations**

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation(s), the Investigator(s) may supply the Title IX Coordinator/Decision-maker with information about previous good faith allegations and/or findings when that information suggests potential pattern and/or predatory conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanction(s) because the College has the option to use a progressive discipline system.

## **G. Character witnesses**

Character witnesses or evidence may be offered. The investigation and hearing will determine if the character evidence is relevant. If so, it may be considered. If not, it will be excluded.

## **H. Notification of outcome**

If the Respondent admits to the violation(s), or is found in violation, the Title IX Coordinator in consultation with other administrators as appropriate, determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The Title IX Coordinator informs the parties of the determination within two to three (2-3) business days of the resolution, ideally simultaneously, but without significant time delay between notifications. Notifications are made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official College records, or emailed to the parties' College-issued or designated email account. Notice is presumed delivered once mailed, emailed, and/or received in-person.

The Notification of Outcome specifies the finding for each alleged policy violation, any sanction(s) that may result which the College is permitted to share pursuant

to state or federal law, and the rationale supporting the findings to the extent the College is permitted to share under state or federal law.

The notice will detail when the determination is considered final (see [Appeals](#) section infra) and will detail any changes made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notification of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal of the findings. More information about the appeal procedures can be found below.

## Sanctions

A list of factors considered when determining any sanction(s)/responsive action(s), as well as a list of usual sanctions that may be imposed relating to students and employees respectively, can be found in [Process A: Title IX Regulatory Resolution Process](#) section.

## Withdrawal or Resignation While Charges are Pending

**Students:** The College permits a student to withdraw with permission if that student has an allegation pending for violation of policy on Freedom from Discrimination, Harassment, and Retaliation or Equal Education Opportunity as it applies to students. The College may place a hold, bar access to an official transcript, and/or prohibit graduation as necessary to permit the resolution process to be completed.

**Employees:** Should an employee resign with unresolved allegations pending, the records of the Title IX Coordinator will reflect that status, and any College responses to future inquiries regarding employment references for that individual will include the former employee's unresolved status and whether the employee is eligible for rehire.

## Appeals

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within seven (7) business days of the delivery of the written finding of the Title IX Coordinator or Decision-maker. Any party may appeal the findings only under the grounds described below.

The Title IX Coordinator will designate an Appeal Decision-maker chosen from the Pool from those who have not been involved in the process previously. Any party may appeal, but appeals are limited to the following grounds:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, failure to correctly apply the evidentiary standard).
- To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the appeal.
- The sanctions imposed fall outside the range of sanctions the College has designated for this offense and the cumulative record of the Respondent.

Detailed information regarding the Appeal Process can be found [here](#) on the College's Title IX website.

All parties will be informed in writing within five (5) business days of the outcome of the appeal without significant time delay between notifications and in accordance with the standards for Notice of Outcome as defined above.

When appeals result in no change to the finding or sanction, that decision is final.

When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above, and in accordance with these procedures.

In rare cases when a procedural or substantive error cannot be cured by the original Investigator(s) and/or Title IX Coordinator/Decision-maker (as in cases of bias), the Appeal Decision-Maker may recommend a new investigation and/or Administrative Resolution process, including a new Decision-maker.

The results of a new Administrative Resolution process can be appealed once, on any of the three applicable grounds for appeals.

In cases in which the appeal results in Respondent's reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable.

## Long-Term Remedies/Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement long-term remedies or actions



with respect to the parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, long-term remedies may also be provided to the Complainant even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedial requirements owed by the College to the Respondent.

## **Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions**

All Respondents are expected to comply with conduct sanctions, responsive actions, and corrective actions within the timeframe specified by the Title IX Coordinator.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s) and responsive/corrective action(s), including suspension, expulsion, and/or termination from the College and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

## Recordkeeping

In implementing this policy, records of all allegations, investigations, resolutions, and hearings will be kept as required by state or federal law or institutional policy, by the Title IX Coordinator in the Title IX case database.

The College will also maintain any and all records in accordance with state and federal laws. Refer to policy [GCB — Public Information Program: Requests for Information](#), the [Student Handbook](#) (for student related records), and the [Employee Handbook](#) (for employee related records) for more information regarding the College's records retention policies and procedure for requesting records.

## Disabilities Accommodation in the Resolution Process

The College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the College's Resolution Process. Anyone needing such accommodations or support should contact the Director of Counseling and Student Accessibility Services or the Director of Human Resources, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

## Revision

The policies and procedures posted on the South Texas College website represent the most up-to-date policies. These policies and procedures will be reviewed and updated annually by the Title IX Coordinator. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

The Title IX Coordinator may make minor modifications to these procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules.

The Title IX Coordinator may also vary procedures materially with notice (on the College website, with the appropriate, effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure.

The Procedures in effect at the time of the resolution will apply to the resolution of incidents, regardless of when the incident occurred.

The policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution unless the parties consent to be bound by the current policy.

If government regulations change in a way that impacts this document, this document will be construed to comply with the most recent government regulations.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws that generally frame such policies and codes.

These Procedures were implemented on July 12, 2022. Last Revised on May 12, 2025.

## **Review and Recommend Action on Approval of Proposed District Wide Facility Signage and Authorization to Proceed with Solicitation of Construction Services**

<b>Purpose</b>	To approve the proposed directional wayfinding signage updates with the new College logo and solicitation of construction services for the District Wide Facility Signage and the District Wide Signage Replacement projects.
<b>Justification</b>	<p>The facility signage will be updated to reflect the current logo and visual identity of the College.</p> <p>College staff have prepared presentations of the proposed facility signage and buildings for review.</p> <p>Solicitation of Request for Proposals (RFP) for construction services is necessary to procure a project contractor(s).</p> <p>The projects consist of installing updated facility signage district-wide.</p> <p>The proposed scope of work is summarized as follows:</p> <ul style="list-style-type: none"><li>• Installation of new facility signage</li><li>• Installation of updated facility signage</li></ul>
<b>Enclosed Documents</b>	<p>Appendix A – Projects Presentation</p> <p>Appendix B – Fact Sheet</p>
<b>Funding</b>	<p>The total estimated cost of the District Wide Facility Signage Project 2025-029C is \$500,000.</p> <p>The funds are available in the Unexpended Construction Plant Fund for use in FY 2024 – 2025.</p> <p>The total estimated cost of the District Wide Signage Replacement Project 2025-028R is \$250,000.</p> <p>The funds are available in the Renewals and Replacements Fund for use in FY 2024 – 2025.</p>
<b>Staff Resource</b>	<p>Ricardo de la Garza, Executive Director for Facilities Planning &amp; Construction</p> <p>Mary Del Paz, Vice President for Finance and Administrative Services</p>
<b>Additional Information</b>	The Facilities Committee did not meet in June 2025; therefore, this item is being presented without a committee recommendation. Administration recommends approval as presented.

**Recommendation** *It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:*

The Board of Trustees of South Texas College approves and authorizes the proposed facility signage updates and to proceed with the solicitation of construction services for the District Wide Facility Signage and the District Wide Signage Replacement projects as presented.

**Approval Recommended:**

**Dr. Ricardo J. Solis**  
President

**Appendix A**

Project presentation follows in the packet.

**Appendix B**

Fact Sheet follows in the packet.



## **DISTRICT WIDE**

### Proposed Facility Signage





# EXISTING CAMPUS FACILITY SIGNAGE



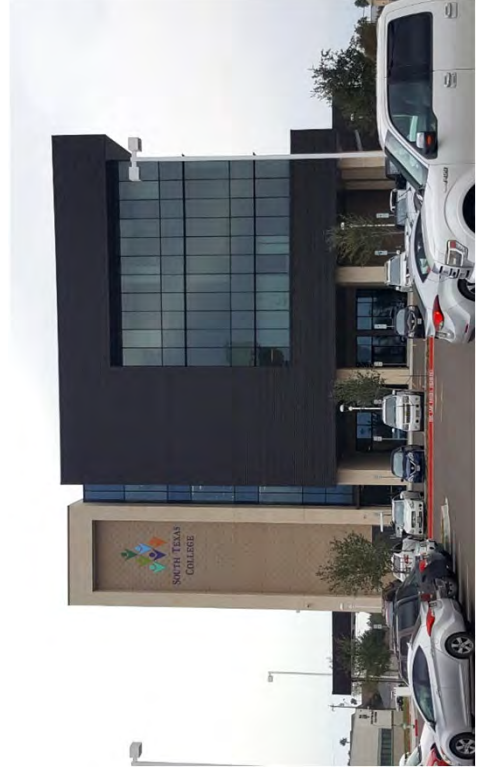
# EXISTING FACILITY SIGNAGE



Pecan Campus – Pecan Blvd.



Dr. Ramiro R. Casso Nursing and Allied Health  
Campus East Building A (North Side)



Dr. Ramiro R. Casso Nursing and Allied Health Campus  
West & Simulation Center Building B (East Side)



Dr. Ramiro R. Casso Nursing and Allied Health Campus  
West & Simulation Center Building B (West Side)





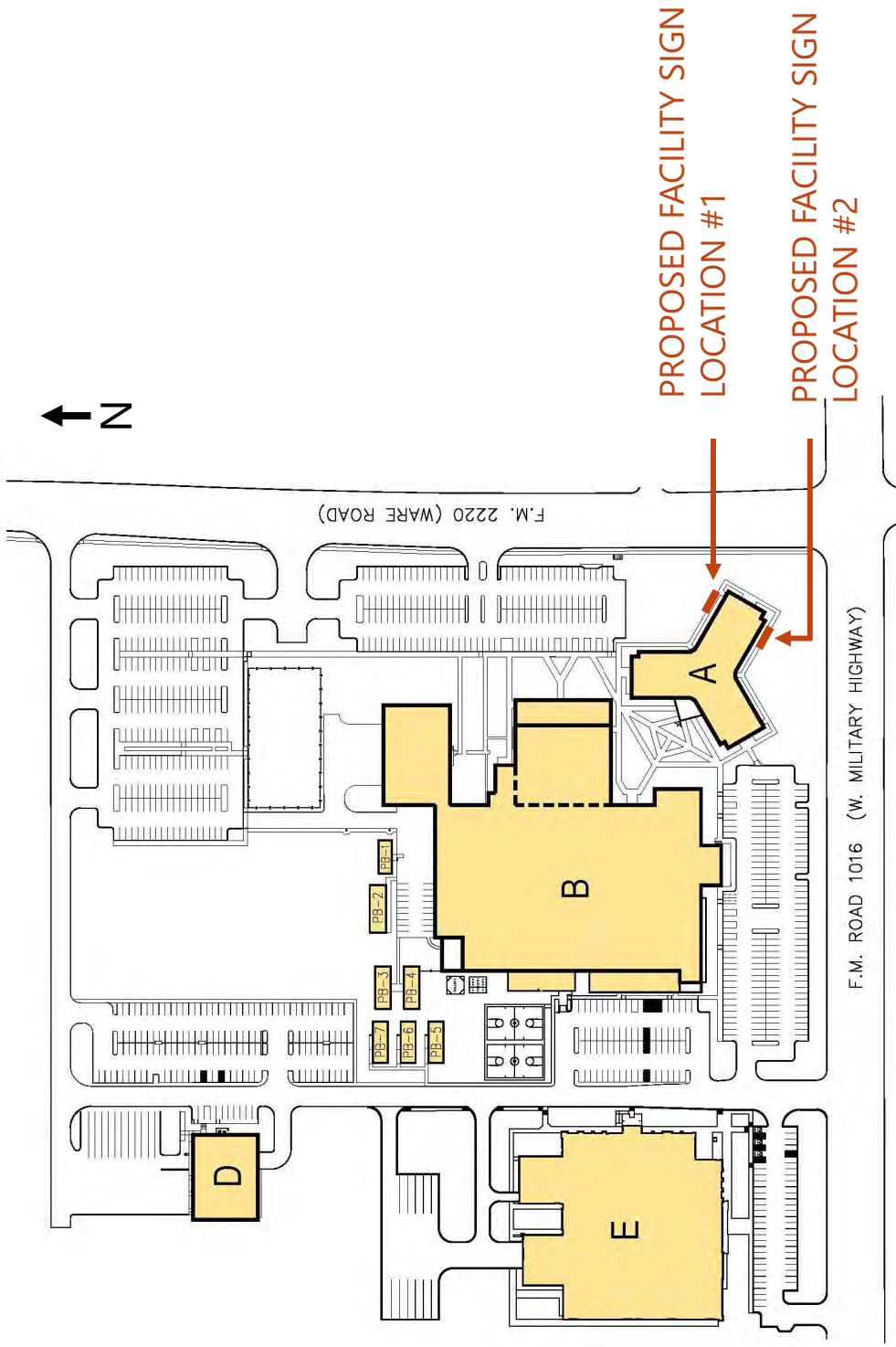
## EXISTING FACILITY SIGNAGE



Regional Center for Public Safety Excellence Building A

# PROPOSED CAMPUS FACILITY SIGNAGE

# PROPOSED TECHNOLOGY CAMPUS FACILITY SIGNAGE



# PROPOSED TECHNOLOGY CAMPUS FACILITY SIGNAGE



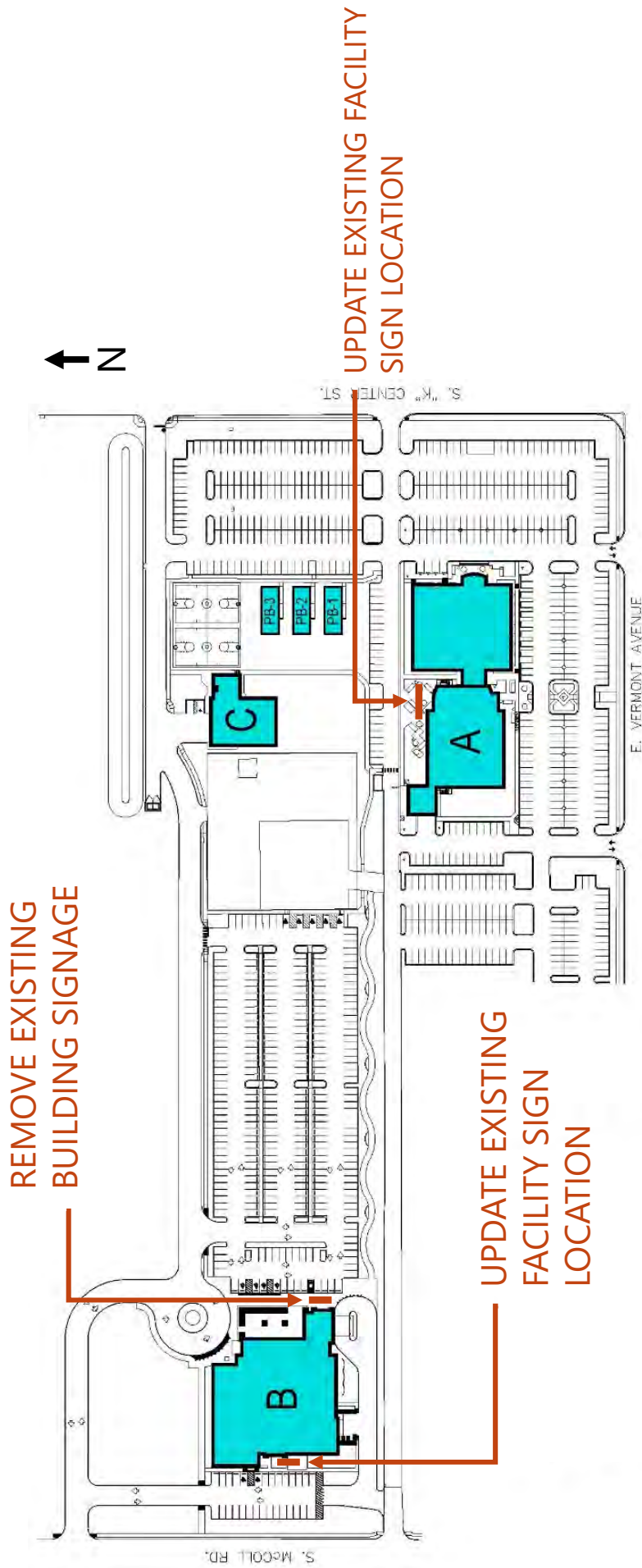
Location #1 – Emerging Technologies Building A  
(North East Side)



# PROPOSED TECHNOLOGY CAMPUS FACILITY SIGNAGE



Location #2 – Emerging Technologies Building A  
(South East Side)



# PROPOSED DR. RAMIRO R. CASSO NURSING AND ALLIED HEALTH CAMPUS FACILITY SIGNAGE





# PROPOSED DR. RAMIRO R. CASSO NURSING AND ALLIED HEALTH CAMPUS FACILITY SIGNAGE



East Building A (North Side)

# PROPOSED DR. RAMIRO R. CASSO NURSING AND ALLIED HEALTH CAMPUS FACILITY SIGNAGE



West & Simulation Center Building B (West Side)





PROPOSED FACILITY SIGN  
LOCATION

# PROPOSED MID VALLEY CAMPUS FACILITY SIGNAGE



# PROPOSED MID VALLEY CAMPUS FACILITY SIGNAGE



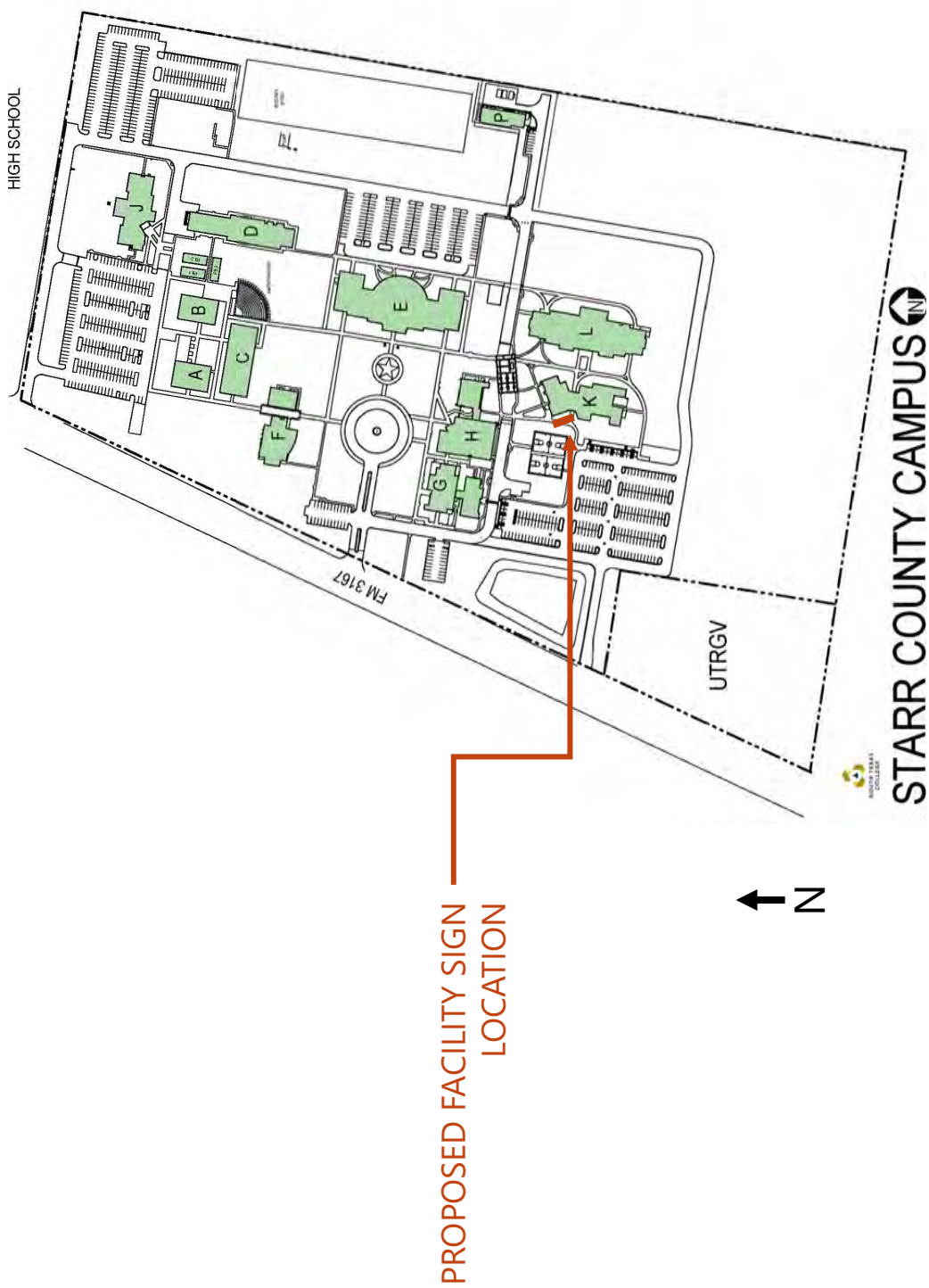
Option 1 - North Academic Building G (South  
Side) Embossed Star Located Below Proposed  
Location



# PROPOSED MID VALLEY CAMPUS FACILITY SIGNAGE



Option 2 - North Academic Building G (South Side) Proposed Location



# PROPOSED STARR COUNTY CAMPUS FACILITY SIGNAGE



# PROPOSED STARR COUNTY CAMPUS FACILITY SIGNAGE

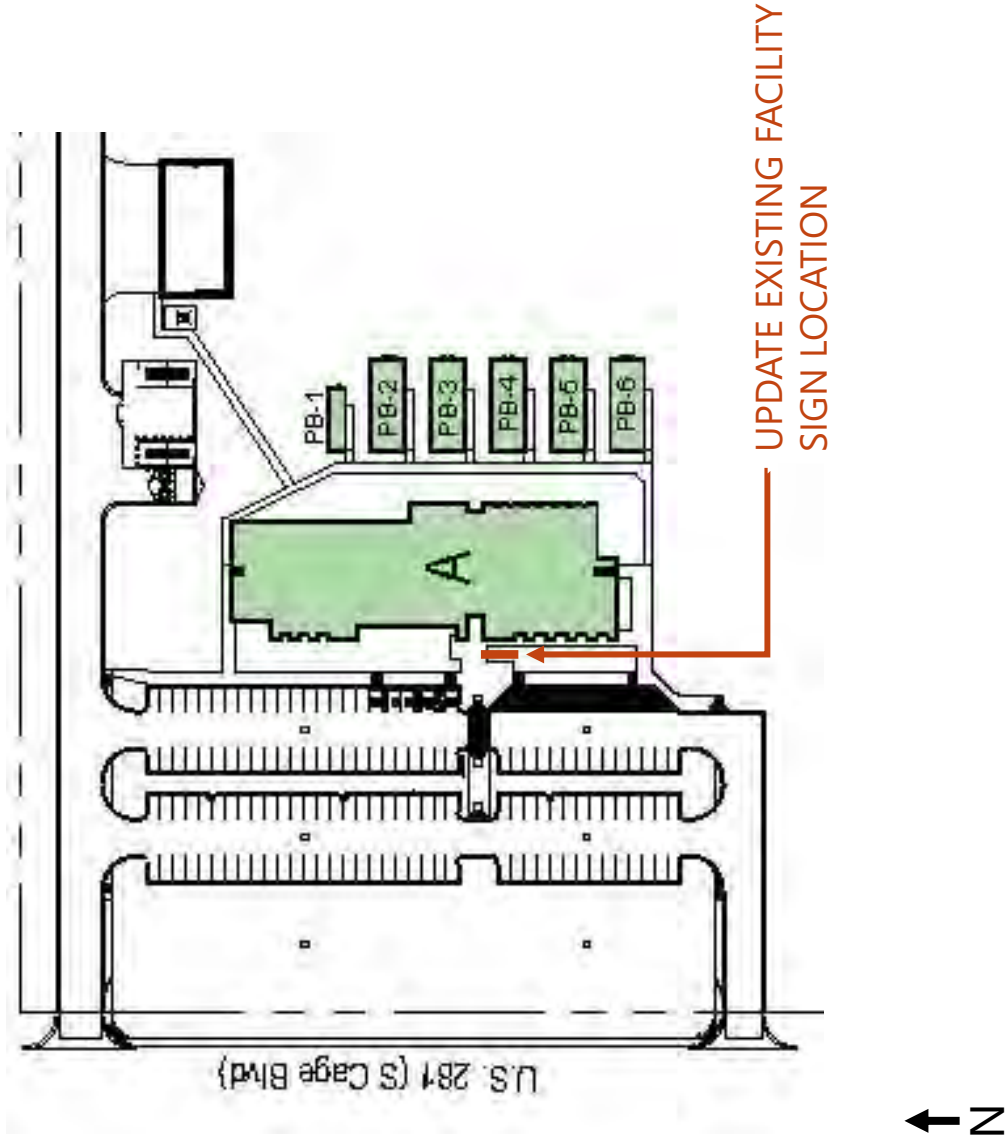


Library Building K Option 1 (West Side)

# PROPOSED STARR COUNTY CAMPUS FACILITY SIGNAGE



Library Building K Option 2 (West Side)



# PROPOSED REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE FACILITY SIGNAGE



# PROPOSED REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE FACILITY SIGNAGE



Regional Center for Public Safety Excellence  
Building A (West Side)





# PROPOSED REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE FACILITY SIGNAGE



Regional Center for Public Safety Excellence  
Building A (West Side)



Project Fact Sheet  
6/5/2025

Project Name		District Wide - Facility Signage		Project No.		2025-029C	
Funding Source(s):		Unexpended Plant Fund					
		FY 24-25		Variance of			
		FY 24-25		Project Budget		Total Actual	
		Actual		vs. Actual		Expenditures To	
		Expenditures		Expenditures		Date	
Construction:		\$ 500,000.00	\$ -	\$ 500,000.00		\$ -	
Design		\$ -	\$ -	\$ -		\$ -	
Miscellaneous:		\$ -	\$ -	\$ -		\$ -	
FFE:		\$ -	\$ -	\$ -		\$ -	
Technology:		\$ -	\$ -	\$ -		\$ -	
Total:		\$ 500,000.00	\$ -	\$ 500,000.00		\$ 500,000.00	
Project Team		Board Status					
Approval to Solicit : N/A		Board Approval of Schematic Design		N/A		Contract Amount	
Architect/Engineer: N/A						Actual Expenditures	
						Variance	
Contractor: TBD						TBD \$ - \$ - \$ -	
Contractor: TBD							
		Substantial Completion		TBD		Board Acceptance TBD	
STC FPC Project Manager: David Valdez		Final Completion		TBD		Board Acceptance TBD	
Project Description		Project Scope					
Provide New Facility Signage at each campus District Wide.		Design and installation of Facility Signage District Wide.					
Projected Timeline							
Board Approval to Solicit Architect/Engineer	Board Approval of Architect/Engineer	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date	Board Approval of Substantial Completion Date	Board Approval of Final Completion Date	FFE Completion of Move In
N/A	N/A	2/18/2025	8/26/2025	9/29/2025	1/25/2026	2/24/2026	N/A
Project Calendar of Expenditures by Fiscal Year							
Fiscal Year	Construction	Design	Miscellaneous	FFE	Tech	Project Total	
2024-25	-	-	-	-	-	\$ -	
Project Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Current Agenda Item							
06/10/25 Facilities Committee Meeting: Review and Recommend Action on Approval of Proposed District Wide Facility Signage and Authorization to Proceed with Solicitation of Construction Services							
<div></div> <p>Facility Signage</p>							

FPC Project Manager

David A Valdez





FPC Director N/A

FPC Executive Director

20/4



Project Fact Sheet  
6/5/2025

Project Name				District Wide - Signage Replacement				Project No.				2025-028R			
Funding Source(s):				Renewals & Replacements Fund											
				FY 24-25											
				Total		FY 24-25		Variance of							
				Project Budget		Actual		Project Budget							
				Expenditures		Expenditures		vs. Actual							
				Expenditures		Expenditures		Expenditures							
Construction:				\$ 250,000.00		\$ -		\$ 250,000.00							
Design				\$ -		\$ -		\$ -							
Miscellaneous:				\$ -		\$ -		\$ -							
FFE:				\$ -		\$ -		\$ -							
Technology:				\$ -		\$ -		\$ -							
Total:				\$ 250,000.00		\$ -		\$ 250,000.00							
Project Team				Board Approval				Board Status							
Approval to Solicit :				N/A				Contract				Actual			
Architect/Engineer:				N/A				Amount				Expenditures			
								Vendor				Variance			
								TBD				\$ - \$ - \$ -			
Contractor:				TBD											
Contractor:				TBD											
STC FPC Project Manager:				David Valdez				Substantial				Board Acceptance			
								Completion				TBD			
								Final Completion				TBD			
								Board Acceptance				TBD			
Project Description				Project Scope											
Replacing and Updating the existing College Signage at each campus District Wide.				Design and installation to replace existing College signage (Entry Monument, Facility, and Directional Wayfinding Signage District Wide.											
Projected Timeline															
Board Approval to Solicit Architect/Engineer		Board Approval of Architect/Engineer		Board Approval of Schematic Design		Board Approval of Contractor		Construction Start Date		Board Approval of Substantial Completion Date		Board Approval of Final Completion Date		FFE Completion of Move In	
N/A		N/A		2/18/2025		8/26/2025		9/29/2025		1/25/2026		2/24/2026		N/A	
Project Calendar of Expenditures by Fiscal Year															
Fiscal Year		Construction		Design		Miscellaneous		FFE		Tech		Project Total			
2024-25		-		-		-		-		-		-			
Project Total		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -			
Current Agenda Item															
06/10/25 Facilities Committee Meeting: Review and Recommend Action on Approval of Proposed District Wide Facility Signage and Authorization to Proceed with Solicitation of Construction Services															
<div><div><p>Directional Wayfinding Signage</p></div><div><p>Directional Wayfinding Signage</p></div><div><p>Entry Monument Signage</p></div><div><p>Interior Facility Wayfinding Signage</p></div></div>															

FPC Project Manager

David A Valdez

FPC Director N/A

FPC Executive Director

PAID

## **Review and Recommend Action on Color Selections for the Pecan Campus Cooper Center for Performing Arts Building L Expansion and Renovations for Music and Dance Programs**

<b>Purpose</b>	To approve the interior color selections for the project.
<b>Justification</b>	<p>On June 28, 2022, the Board approved contracting architectural services with Brown Reynolds Watford Architects. On November 19, 2024, the Board approved contracting construction services with Peacock General Contractors, Inc.</p> <p>Brown Reynolds Watford Architects has prepared color boards for review by the Facilities Committee.</p>
<b>Enclosed Documents</b>	Appendix A – Color Selections
<b>Staff Resource</b>	<p>Ricardo de la Garza, Executive Director for Facilities Planning &amp; Construction</p> <p>Mary Del Paz, Vice President for Finance and Administrative Services</p>
<b>Additional Information</b>	The Facilities Committee did not meet in June 2025; therefore, this item is being presented without a committee recommendation. Administration recommends approval as presented.
<b>Recommendation</b>	<p><b><i>It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:</i></b></p> <p>The Board of Trustees of South Texas College approves and authorizes the color selections for the Pecan Campus Cooper Center for Performing Arts Building L Expansion and Renovations for Music and Dance Programs project as presented.</p> <p><b>Approval Recommended:</b></p> <p><b>Dr. Ricardo J. Solis</b> President</p>

### **Appendix A**

Color Selections follow in the packet.





# INTERIOR FINISHES

## SOUTH TEXAS COLLEGE

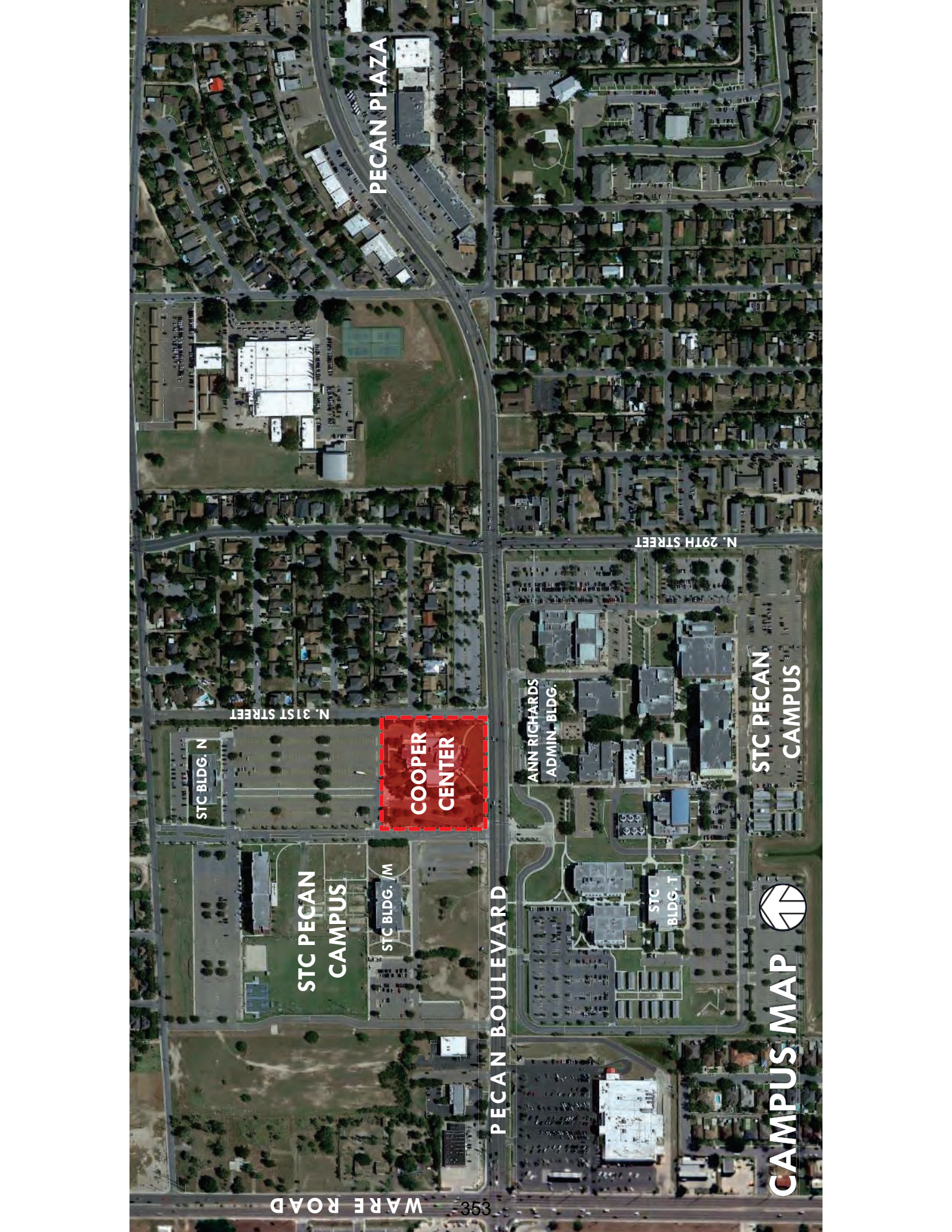
PECAN CAMPUS COOPER CENTER FOR PERFORMING ARTS BUILDING L  
EXPANSION AND RENOVATIONS FOR THE MUSIC AND DANCE PROGRAMS



SOUTH TEXAS  
COLLEGE

**BRW** ARCHITECTS





STC BLDG. N

STC PECAN  
CAMPUS

STC BLDG. M

COOPER  
CENTER

ANN RICHARDS  
ADMIN. BLDG.

STC  
BLDG. T

STC PECAN  
CAMPUS

N. 29TH STREET

N. 31ST STREET

PECAN BOULEVARD

PECAN PLAZA

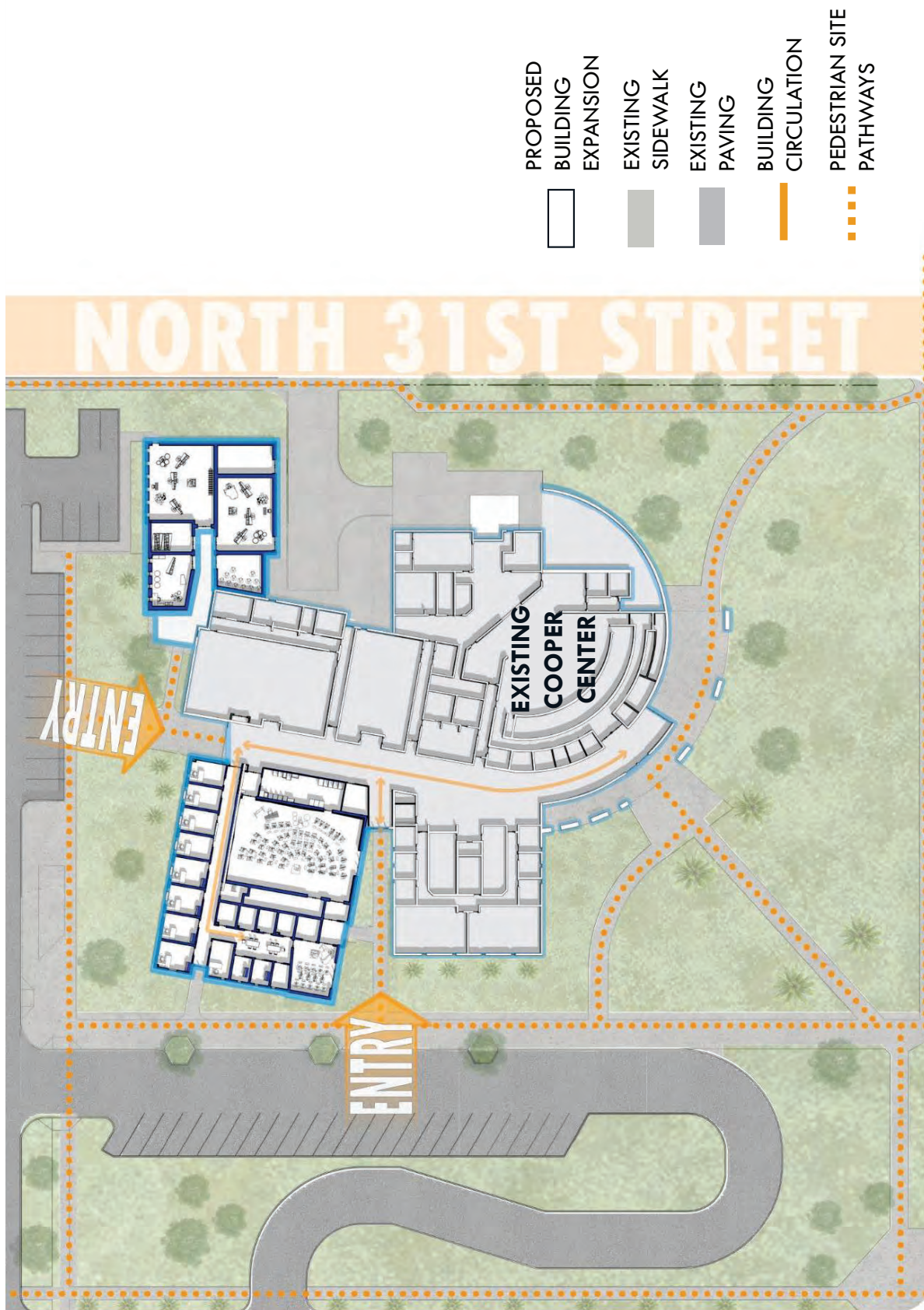
WARE ROAD

353



CAMPUS MAP





**SITE PLAN**



P1  
SW "ALPACA"  
WALL PAINT



P5  
SW "CITYSCAPE"  
WALL PAINT



P4  
SW "DENIM"  
ACCENT WALL



RESTROOM  
COUNTERTOPS

SST  
GRAFITE



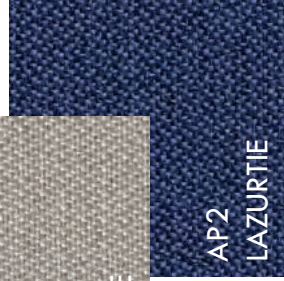
RESTROOM  
CABINET

PL1  
STUDIO TEAK



ACOUSTICAL  
WALL PANELS

AP1  
GREIGE



AP2  
LAZURTIE



WINDOW  
SHADES

WT1  
SILVER BIRCH



BLACKOUT  
SHADES

WT3  
SILVER



CEILING  
REFLECTORS

PL2  
HARVEST MAPLE



ACOUSTICAL  
CURTAINS

AF  
WHITE



STUDIO,  
REHEARSAL, &  
PRACTICE RM  
FLOORING

LVT1  
ANTLER VELVET



CORRIDOR  
FLOORING

LVT2  
TERRA GRAPHITE



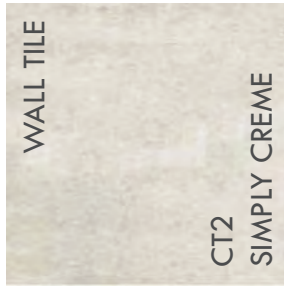
CARPET

CPT1  
CHOCOLATE



FLOOR TILE

CT1  
MIST GRAY



WALL TILE

CT2  
SIMPLY CREME



ACCENT  
WALL TILE

CT3  
SAND RULLATA



DOORS

WD1  
WHITE BIRCH



RB

## INTERIOR FINISHES

PECAN CAMPUS COOPER CENTER FOR PERFORMING ARTS BUILDING L  
EXPANSION AND RENOVATIONS FOR THE MUSIC AND DANCE PROGRAMS



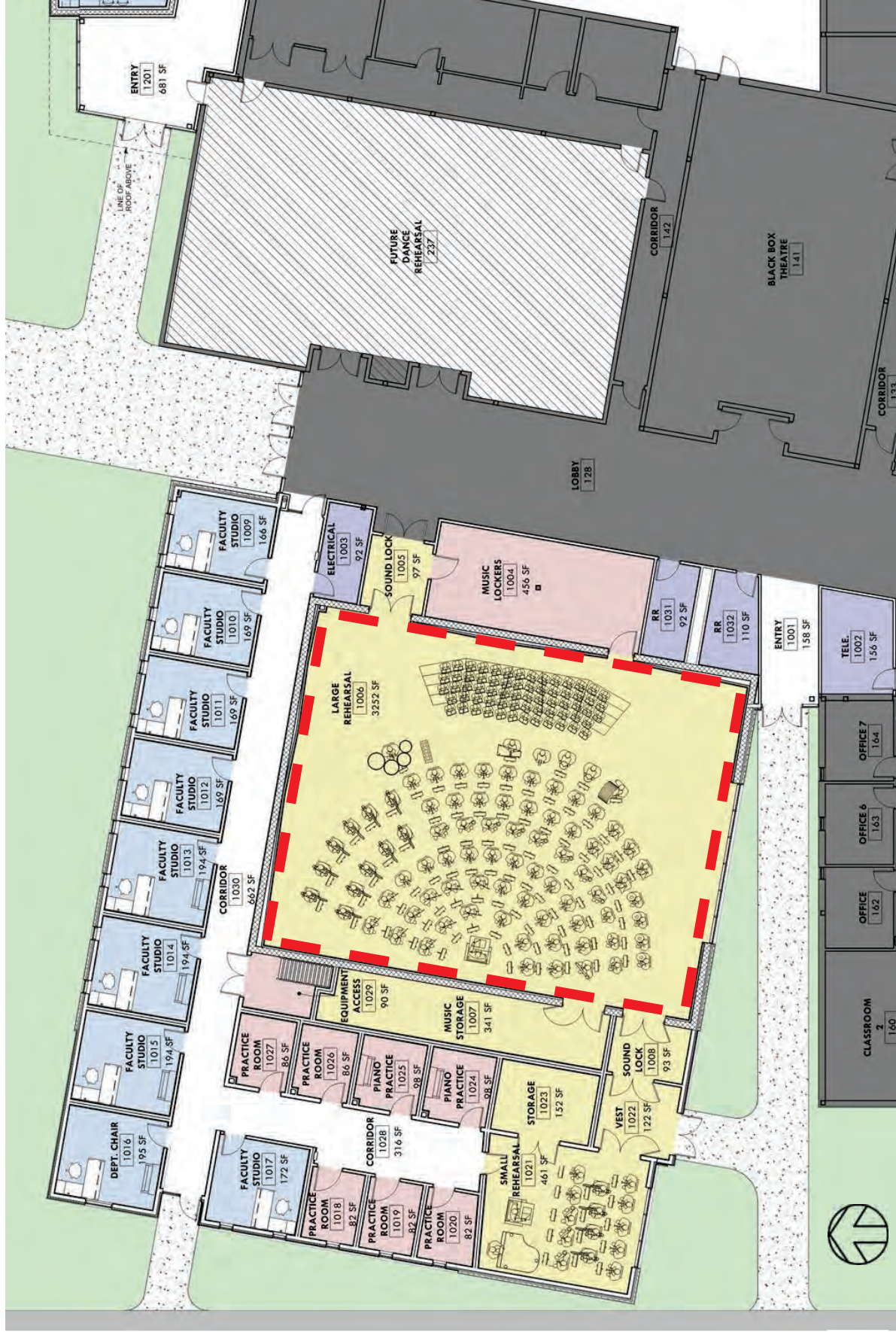
**BRW**  
ARCHITECTS



# LEGEND

- CIRCULATION
- MEP
- EXISTING TO REMAIN
- FUTURE DANCE REHEARSAL
- OFFICE
- PRACTICE
- REHEARSAL
- STUDY

EXPANSION  
≈ 9,750 SF



# FLOOR PLAN



BRWARCHITECTS



LARGE MUSIC REHEARSAL



CEILING  
REFLECTORS

PL2  
HARVEST MAPLE

ACOUSTICAL  
CURTAINS

AF  
WHITE

358

WALL PAINT

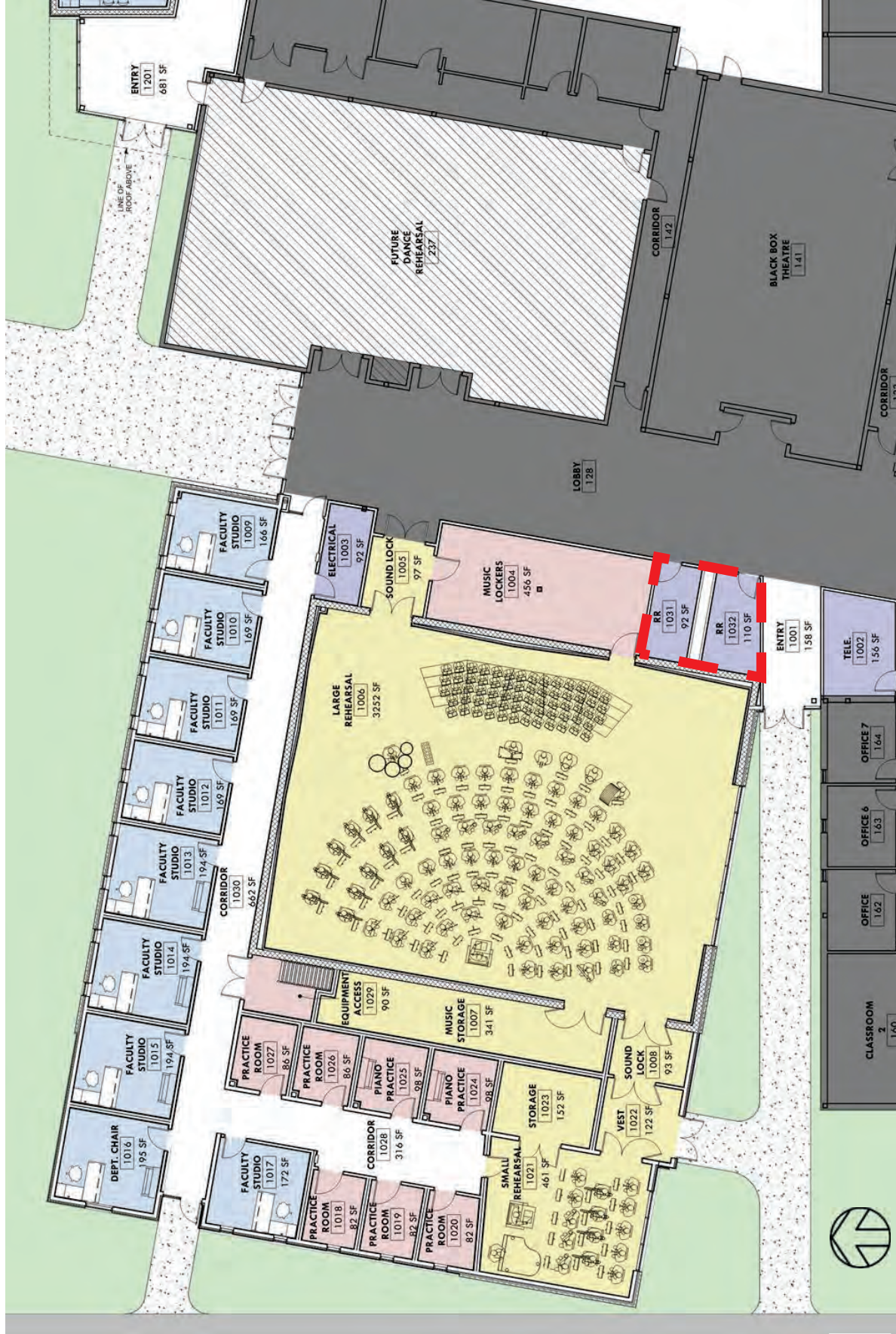
P1  
SW "ALPACA"

REHEARSAL  
FLOORING

LVT1  
ANTLER VELVET







## LEGEND

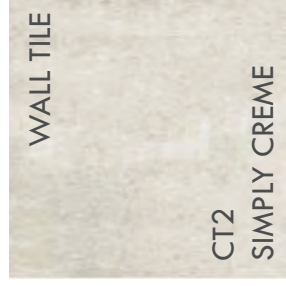
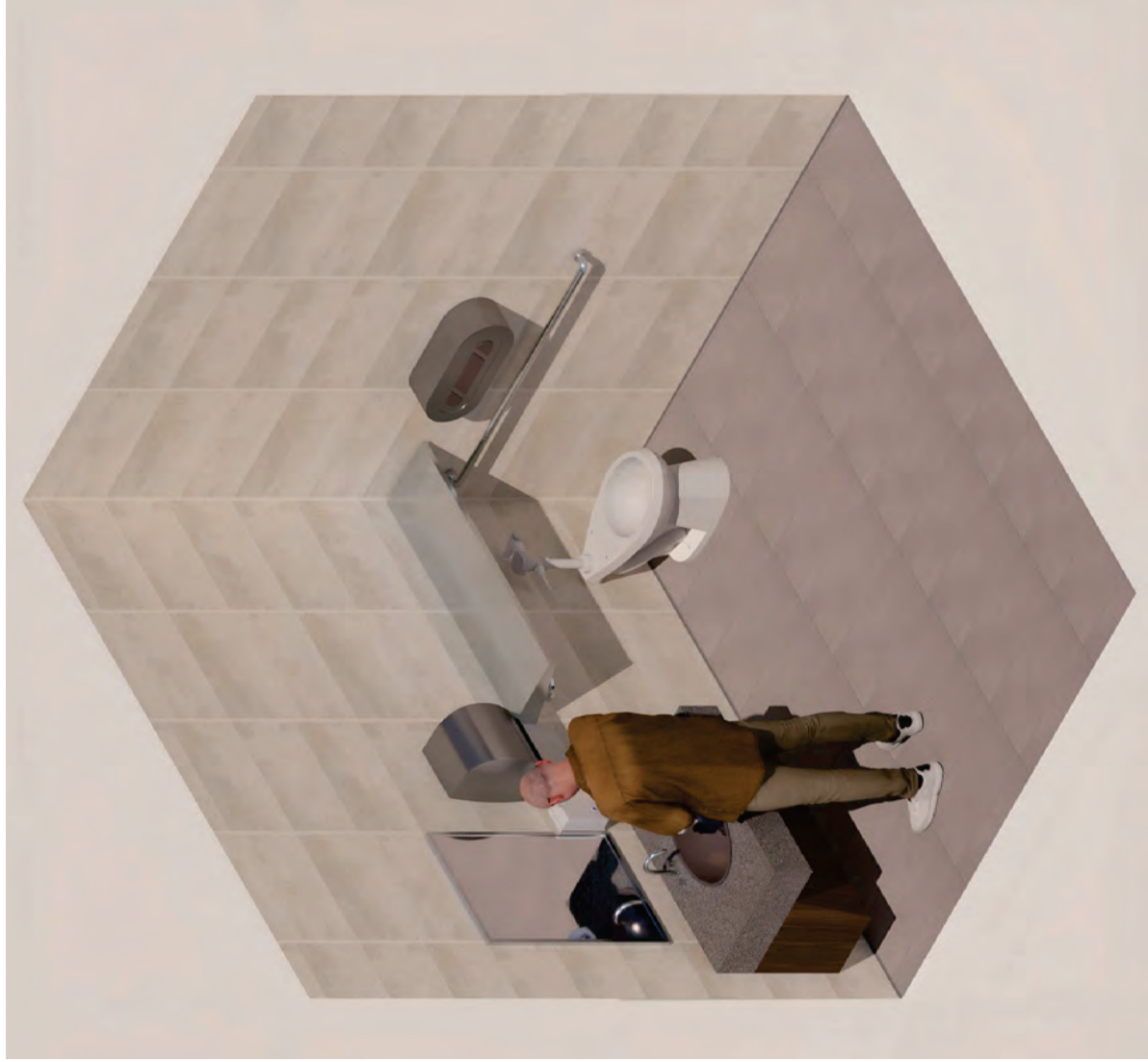
- CIRCULATION  
MEP  
EXISTING TO REMAIN  
FUTURE DANCE REHEARSAL  
OFFICE  
PRACTICE  
REHEARSAL  
STUDY

**EXPANSION**  
**≈ 9,750 SF**

# FLOOR PLAN



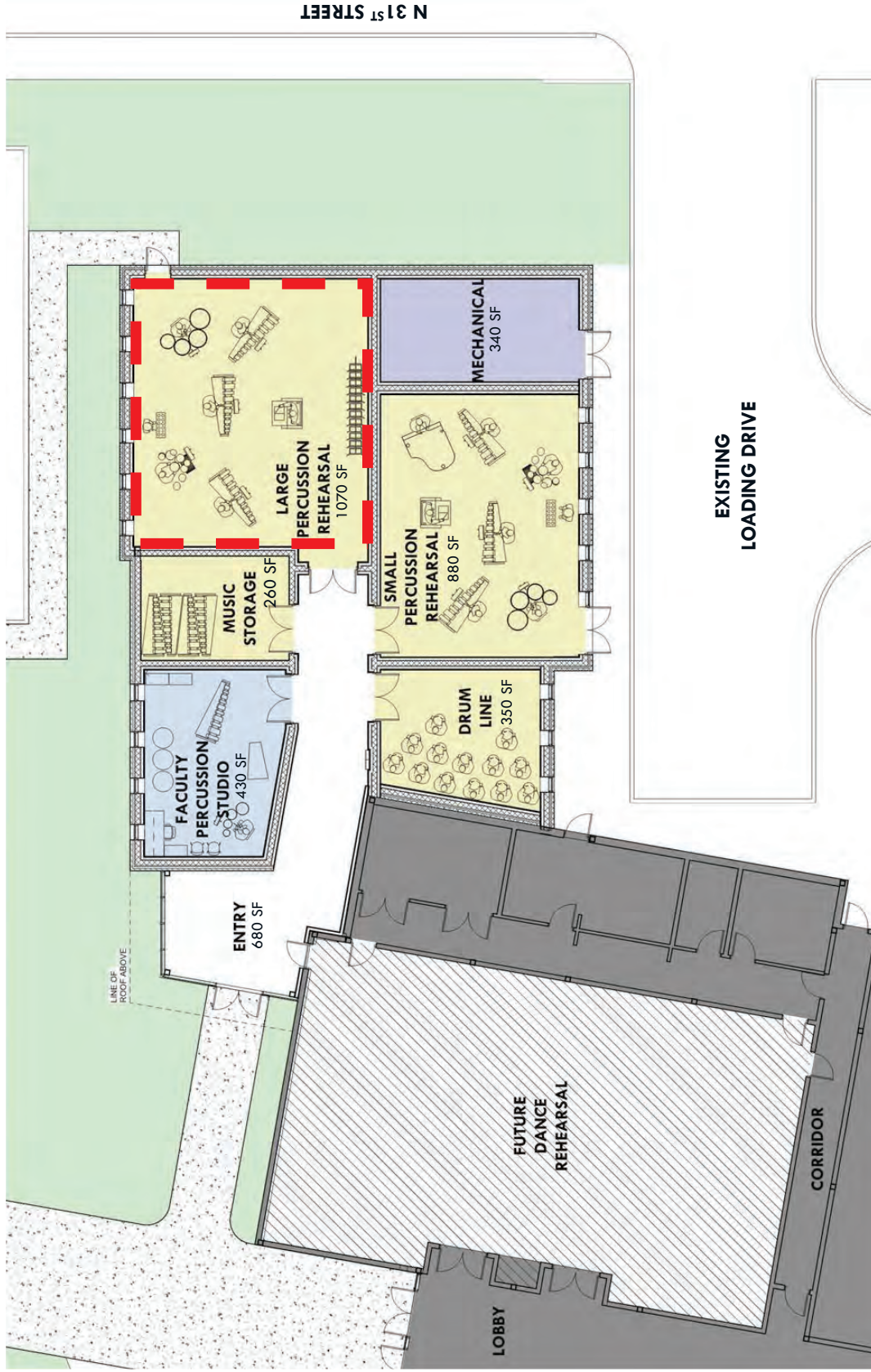




# LEGEND

- CIRCULATION
- MEP
- EXISTING TO REMAIN
- FUTURE DANCE REHEARSAL
- OFFICE
- REHEARSAL

362  
EXPANSION  
≈ 4,775 SF

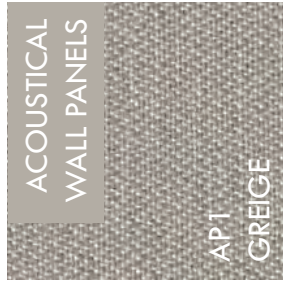


## FLOOR PLAN









## **Review and Recommend Action on Approval of Proposed Change Order for the Pecan West Parking and Site Improvements**

<b>Purpose</b>	To approve a proposed change order for the project.
<b>Justification</b>	<p>A change order to the construction contract is needed to cover the additional scope of work required by the City of McAllen, which includes:</p> <ul style="list-style-type: none"><li>• Extension of the water line to Ware Road to provide a looped water system</li><li>• Widening of the proposed entry drives, including concrete paving and asphalt paving, excavation, demolition, and subgrade</li><li>• Restaking and reworking the layout</li><li>• Storm drain modifications</li></ul> <p>Construction Contract Amount            \$2,586,000.00 Net Effect of Change Order No. 1 to Contract Amount    171,716.50 <b>Revised Construction Contract Amount\$2,757,716.50</b></p> <p>An additional twenty-five (25) days will be added to the substantial completion schedule.</p>
<b>Enclosed Documents</b>	Appendix A – Change Order #1 Appendix B – Fact Sheet
<b>Funding</b>	The funds are available in the Unexpended Construction Plant Fund for use in FY 2024 – 2025.
<b>Staff Resource</b>	Ricardo de la Garza, Executive Director for Facilities Planning & Construction Mary Del Paz, Vice President for Finance and Administrative Services
<b>Recommendation</b>	Administration requests the Committee recommend Board approval of the proposed change order with GST Construction, Inc. in the amount of \$171,716.50 and an additional twenty-five (25) days for the Pecan West Parking and Site Improvements project as presented.

### **Appendix A**

Change Order #1 follows in the packet.

### **Appendix B**

Fact Sheet follows in the packet.

# CONTRACT CHANGE ORDER

808 Dallas Avenue  
McAllen, Texas 78501  
956/631-4482  
www.perezce.com  
Firm Registration F-2158



TO: <u>GST Construction, Inc.</u> <u>7337 Owassa Road</u> <u>Edinburg, Texas 78542</u>	Date: <u>5-Jun-25</u> Project No.: <u>STC23103</u> Location: <u>McAllen, Texas</u> Contract No. <u>24-25-1038</u> Change Order No.: <u>1</u>		
<b>You are hereby requested to comply with the following changes from the contract plans and specifications.</b>			
Item No.	Description of changes-quantities, units, unit prices, change in completion schedule, etc.	Decrease in contract price	Increase in contract price
(1)	(2)	(3)	(4)
1.	<b>ADDED:</b> 8-inch Waterline Improvements with associated appurtenances all as per City of McAllen requirements.	\$ -	\$ 164,598.00
2.	<b>ADDED:</b> Pavement Widening to meet City of McAllen Fire requirements.	\$ -	\$ 77,298.50
3.	<b>DEDUCTED:</b> Domestic/Fire Building Service Plumbing revisions.	\$ (70,180.00)	\$ -
<b>Original Contract Amount</b>			<b>\$ 2,586,000.00</b>
<b>Total decrease</b>			\$ (70,180.00)
<b>Total increase</b>			\$ 241,896.50
<b>Difference between Col. (3) and (4)</b>			\$ 171,716.50
<b>New Contract Amount</b>			<b>\$ 2,757,716.50</b>

**1. Necessity for change:**  
 During the Building Permit process, the City Fire Marshal requested that an 8-inch waterline loop be provided on the property and that the entrance drive be widened to accommodate fire truck width requirements.

2. Will proposed change alter the physical size of the property? [ ] Yes    [ **X** ] No  
 If "Yes" explain:


3. Effect on operation and maintenance costs:  
 None anticipated.

The time provided for completion in the contract is (~~unchanged~~) (**increased**) (~~decreased~~) by 25 calendar days.  
 This document shall become an amendment to the contract and all provisions of the contract that apply hereto.

Recommended by:	<u>Engineer - Perez Consulting Engineers, LLC</u>	<u>Date</u>
Accepted by:	<u>Contractor - GST Construction</u>	<u>Date</u>
Approved by:	<u>Owner - South Texas College</u>	<u>Date</u>



Project Fact Sheet  
6/12/2025

Project Name: Pecan West - Parking & Site Improvements										Project No. 2023-018C	
Funding Source(s): Unexpended Plant Fund / Grant Fund (STC 20% and EDA 80%)											
		FY 22-23			FY 23-24			FY 24-25			
	Total Project Budget	Project Budget	Actual Expenditures	Variance of Project Budget vs. Actual Expenditures	Project Budget	Actual Expenditures	Variance of Project Budget vs. Actual Expenditures	Project Budget	Actual Expenditures	Variance of Project Budget vs. Actual Expenditures	Total Actual Expenditures To Date
Construction:	\$ 1,668,440.00	\$ -	\$ -	\$ -	\$ 500,532.00	\$ -	\$ 500,532.00	\$ 1,466,712.00	\$ -	\$ 1,466,712.00	\$ -
Design (Site):	118,376.00	79,445.00	-	79,445.00	40,709.00	4,897.17	35,811.83	150,986.00	112,471.16	38,514.84	117,368.33
Design (Subdivision):	40,514.00	-	24,230.00	(24,230.00)	40,514.00	5,542.50	34,971.50	10,750.00	-	10,750.00	29,772.50
Miscellaneous:	47,670.00	23,835.00	1,058.91	22,776.09	46,470.00	-	46,470.00	73,738.00	7,415.81	66,322.19	8,474.72
FFE:	-	-	-	-	-	-	-	-	-	-	-
Technology:	-	-	-	-	-	-	-	-	-	-	-
Total:	\$ 1,875,000.00	\$ 103,280.00	\$ 25,288.91	\$ 77,991.09	\$ 628,225.00	\$ 10,439.67	\$ 617,785.33	\$ 1,702,186.00	\$ 119,886.97	\$ 1,582,299.03	\$ 155,615.55
Project Team						Board Status					
Approval to Solicit Architect/Engineer:	8/23/2022	Perez Consulting Engineers				Board Approval of Schematic Design	N/A	Vendor	Contract Amount	Actual Expenditures	Variance
Architect/Engineer:											
Contractor:	GST Construction, Inc.					Substantial Completion	TBD	Board Acceptance	TBD		
STC FPC Project Manager:	David Valdez					Final Completion	TBD	Board Acceptance	TBD		
Project Description						Project Scope					
Design and construction of site improvements for the Continuing Education facility.						Design and construction of site improvements, site infrastructure and parking area to service the Continuing Education facility.					
Projected Timeline											
Board Approval to Solicit Architect/Engineer	Board Approval of Architect/Engineer	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date	Board Approval of Substantial Completion Date	Board Approval of Final Completion Date	FFE Completion of Move In				
8/23/2022	1/31/2023	N/A	1/28/2025	4/12/2025	6/23/2026	7/21/2026	7/31/2026				
Project Calendar of Expenditures by Fiscal Year											
Fiscal Year	Construction	Design	Miscellaneous	FFE	Tech	Project Total					
2022-23	\$ -	\$ 24,230.00	\$ 1,058.91	\$ -	\$ -	\$ 25,288.91					
2023-24	-	10,439.67	-	-	-	\$ 10,439.67					
2024-25	-	112,471.16	7,415.81	-	-	\$ 119,886.97					
Project Total	\$ -	\$ 147,140.83	\$ 8,474.72	\$ -	\$ -	\$ 155,615.55					
Current Agenda Item											
N/A											
											

FPC Project Manager David A Valdez

FPC Director N/A

FPC Executive Director Rafa

## **Review and Recommend Action on Substantial Completion of the Regional Center for Public Safety Excellence Parking Lot #1 Additional Spaces**

<b>Purpose</b>	To approve substantial completion of the project.
<b>Justification</b>	<p>College staff and the Engineer visited the site and developed a construction punch list on May 15, 2025.</p> <ul style="list-style-type: none"><li>• Engineer: Perez Consulting Engineers, LLC.</li><li>• Contractor: 2GS, LLC./ dba Earthworks Enterprise</li></ul> <p>A Certificate of Substantial Completion has been issued. Substantial Completion was not accomplished within the time allowed in the Owner/Contractor agreement for this project by 2GS, LLC./ dba Earthworks Enterprise. The original cost approved for this project was \$278,334.29.</p>
<b>Enclosed Documents</b>	<p>Appendix A – Current Budget Status Appendix B – Photos Appendix C – Substantial Completion Appendix D – Fact Sheet</p>
<b>Funding</b>	The funds for the Regional Center for Public Safety Excellence Parking Lot #1 Additional Spaces Project 2024-008C are available in the Unexpended Construction Plant Fund for use in FY 2024 – 2025.
<b>Staff Resource</b>	<p>Ricardo de la Garza, Executive Director for Facilities Planning &amp; Construction Mary Del Paz, Vice President for Finance and Administrative Services</p>
<b>Additional Information</b>	The Facilities Committee did not meet in June 2025; therefore, this item is being presented without a committee recommendation. Administration recommends approval as presented.
<b>Recommendation</b>	<p><b><i>It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:</i></b></p> <p>The Board of Trustees of South Texas College approves and authorizes the substantial completion of the Regional Center for Public Safety Excellence Parking Lot #1 Additional Spaces project as presented.</p>

### **Approval Recommended:**

**Dr. Ricardo J. Solis**  
President

**Appendix A**  
Current Budget Status

Regional Center for Public Safety Excellence Parking Lot #1 Additional Spaces					
Construction Budget	Approved Proposal Amount	Net Total Change Orders	Current Project Cost	Previous Amount Paid	Remaining Balance
\$287,000.00	\$278,334.29	\$0	\$278,344.29	\$46,721.00	\$231,163.29

**Appendix B**  
Photos follow in the packet.

**Appendix C**  
Substantial Completion follows in the packet.

**Appendix D**  
Fact Sheet follows in the packet.



## Regional Center for Public Safety Excellence Parking Lot #1 Additional Spaces





## Substantial Completion Acceptance

**Project Name:** Regional Center for Public Safety Excellence Parking Lot #1 Additional Spaces

**Project No.:** 24-25-1015

**Owner:** South Texas College

**Contractor:** 2GS, LLC dba Earthworks Enterprise

**A/E Firm:** Perez Consulting Engineers

### Scope of Work Covered by This Acceptance:

The project includes parking lot paving, including 76 new parking spaces, paving marking and signage, landscape and irrigation, and parking lot lighting and associated flatwork.

Effective Date of Acceptance: 5/15/2025

This constitutes the Owner's acceptance for Beneficial Occupancy: Yes ☒ No ☐

In accordance with plans and specifications of the Contract, this is to confirm the results of the substantial completion inspection(s). The "punch list(s)" of items remaining to be completed or corrected as of the effective date of this acceptance, is formally issued under separate cover. It is expressly understood that the failure to include any items on such list (s) does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents. In accordance with the Contract, the Date of Substantial Completion is that Date jointly certified by the Architect/Engineer, owner and Contractor that the Work is sufficiently completed for the Owner to utilize it, or designated portion thereof, for the intended purpose.

As of the effective date noted above, the Contractor is relieved of the responsibilities for utilities, maintenance, security, custodial services, and insurance coverage, which may pertain specifically to the Work, covered by this acceptance. The Contractor remains responsible; however, to maintain full insurance coverage as required by the Contract for any areas of the project not yet accepted, and such coverage as may be necessary for its employees and subcontractors while engaged in completion of the punch list items as identified above.

The Owner and A/E will continue to inspect the entire project, including the work accepted herein, until final completion and acceptance of all elements of the work. This inspection will cover such defects as may have been overlooked as well as the items currently remaining on the punch list (s). The date of Substantial Completion Acceptance of the Project or portion designated above is the date of issuance established by this document, which is also the date of commencement of applicable warranties required by the Contract Documents.

The <b>Contractor</b> shall complete/correct the items identified on the punch list(s) within _____ Calendar days from the Effective Date of this Acceptance.		
<u>Humberto Garcia, Jr., Member</u>	<u>Signature</u>	<u>Date</u>


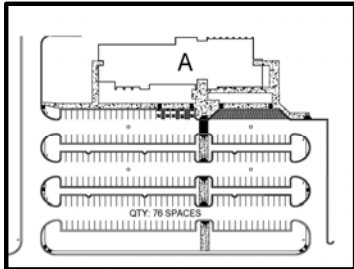
The <b>Engineer</b> agrees that the Work noted in this Acceptance is sufficiently complete to be used as intended.		
<u>David Perez, P.E., President</u>	<u>Signature</u>	<u>5/28/2025</u>
<u>David Perez, P.E., President</u>	<u>Signature</u>	<u>Date</u>

With the exception of those items noted on the attached "punch list(s)", the <b>Owner</b> accepts the Work designated herein as Substantially Complete as of the Effective Date of this Acceptance.		
<u>Printed Name and Title</u>	<u>Signature</u>	<u>Date</u>





**Project Fact Sheet**  
**5/27/2025**

Project Name:		Regional Center for Public Safety Excellence - Parking Lot #1 for Additional Spaces						Project No.		2024-008C	
Funding Source(s):		Unexpended Plant Fund									
				FY 23-24		FY 24-25					
		Total Project Budget	Project Budget	FY 23-24 Actual Expenditures	Variance of Project Budget vs. Actual Expenditures	Project Budget	FY 24-25 Actual Expenditures	Variance of Project Budget vs. Actual Expenditures	Total Actual Expenditures To Date		
Construction:		\$ 287,000.00	\$ 287,000.00		\$ 287,000.00	\$ 287,000.00	\$ 230,619.99	\$ 56,380.01	\$ 230,619.99		
Design:		28,700.00	28,700.00	8,421.50	\$ 20,278.50	28,700.00	17,346.86	\$ 11,353.14	25,768.36		
Miscellaneous:		15,000.00	15,000.00	6,257.45	\$ 8,742.55	14,000.00	4,868.05	\$ 9,131.95	11,125.50		
FFE:		-	-		\$ -	-		\$ -	-		
Technology:		-	-		\$ -	-		\$ -	-		
Total:		\$ 330,700.00	\$ 330,700.00		\$ 316,021.05	\$ 329,700.00		\$ 76,865.10	\$ 267,513.85		
Project Team						Board Status					
Approval to Solicit Architect/Engineer:		10/31/2023				Vendor Contract Amount		Actual Expenditures		Variance	
Architect/Engineer:		Perez Consulting Engineers, LLC		Board Approval of Schematic Design N/A		Perez Consulting Engineers, LLC \$ 31,775.00		\$ 25,768.36		\$ 6,006.64	
Contractor:		2GS, LLC dba Earthworks, LLC				2GS, LLC dba Earthworks, LLC \$ 278,334.29		\$ 230,619.99		\$ 47,714.30	
STC FPC Project Manager:		David Valdez		Substantial Completion TBD		Board Acceptance TBD					
				Final Completion TBD		Board Acceptance TBD					
Project Description						Project Scope					
Design and construction of a parking lot extension to the existing Regional Center for Public Safety Excellence Parking Lot #1.		Additional extension of the existing parking lot at the Regional Center for Public Safety Excellence.									
Projected Timeline											
Board Approval to Solicit Architect/Engineer	Board Approval of Architect/Engineer	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date	Board Approval of Substantial Completion Date	Board Approval of Final Completion Date			FFE Completion of Move In		
10/31/2023	2/27/2024	N/A	11/26/2024	1/18/2025	6/24/2025	07/22/2025			TBD		
Project Calendar of Expenditures by Fiscal Year											
Fiscal Year	Construction		Design	Miscellaneous	FFE	Technology			Project Total		
2023-24	\$ -		\$ 8,421.50	\$ 6,257.45	\$ -	\$ -			\$ 14,678.95		
2024-25	\$ 230,619.99		\$ 17,346.86	\$ 4,868.05	\$ -	\$ -			\$ 252,834.90		
Project Total	\$ 230,619.99		\$ 25,768.36	\$ 11,125.50	\$ -	\$ -			\$ 267,513.85		
Current Agenda Item											
06/10/25 Facilities Committee Meeting: Review and Recommend Action on Substantial Completion of Regional Center for Public Safety Excellence Parking Lot #1 Additional Spaces											
											

FPC Project Manager David A Valdez FPC Director N/A FPC Executive Director RJA

## **Review and Recommend Action on Proposed Facilities Usage Agreement for PossAble Dream Foundation**

<b>Purpose</b>	To approve the negotiation and execution of a facilities usage agreement to support the PossAble Dream Foundation's use of classroom spaces at South Texas College's Pecan Campus and Pecan Plaza facilities.
<b>Justification</b>	<p>Dr. Daniel King, CEO of Region One ESC, has approached South Texas College about the possibility of using STC's facilities for one year to assist in the launch of the PossAble Dream Foundation's McAllen campus. The PossAble Dream Foundation will provide adults up to 50 years old with an opportunity and pathway to return to and complete a high school diploma.</p> <p>Administration has identified the following options, which were received favorably by the PossAble Dream Foundation team:</p> <p><b>Pecan Campus General Academic Building Y</b> PCN Y 1.202 – classroom PCN Y 1.801 – convert to classroom/computer lab</p> <p><b>Pecan Plaza Continuing Education &amp; Workforce Development Building C</b> PCN PLZ 1.702 – classroom and computer equipment PCN PLZ 1.705 – convert to office space</p> <p>Administration has reviewed the request and determined potential fees of \$46,869 for facilities usage, which includes all costs associated with maintaining open and active facilities outside the College's normal operating hours.</p> <p>There is a proposed fee structure to the agreement. However, Dr. Ricardo J. Solis, College President, recommends proceeding with a no-cost facilities usage agreement to support the PossAble Dream Foundation in their inaugural launch.</p>
<b>Enclosed Document</b>	Appendix A – Proposed Fee Structure
<b>Staff Resource</b>	Dr. Ricardo J. Solis, College President
<b>Additional Information</b>	The Facilities Committee did not meet in June 2025; therefore, this item is being presented without a committee recommendation. Administration recommends approval as presented.
<b>Recommendation</b>	<b><i>It is recommended that the Board of Trustees of South Texas College approve and authorize the following Minute Order proposed for consideration:</i></b>

The Board of Trustees of South Texas College approves and authorizes to negotiate and execute the proposed facilities usage agreement with the PossAble Dream Foundation as presented.

**Approval Recommended:**

**Dr. Ricardo J. Solis**  
President

**Appendix A**

Proposed Fee Structure follows in the packet

2025 Fall Semester

Space	Size (sf)	Number of Classrooms/Offices	Weekly Sections	Weekly Sections per Utilization %	Average			Monthly Rental Rate (\$/sq)	Monthly Rental Cost (\$)	Semester Rental Cost (\$)
					Weekly Utilization Factor (%)	Monthly Rental Rate (\$/sq)	Monthly Rental Cost (\$)			
32-Seat Classroom *(Note 1)	784	1	40	40	100%	\$ 3.09	\$ 2,422.56	\$ 10,901.52		
3 staff cubicles and 1 work area	120	4	0	0	100%	\$ 3.09	\$ 1,483.20	\$ 6,674.40		
Total Utilized Space	904	5					\$ 3,905.76	\$ 17,575.92		

2026 Spring Semester

Space	Size (sf)	Number of Classrooms/Offices	Weekly Sections	Weekly Sections per Utilization %	Average			Monthly Rental Rate (\$/sq)	Monthly Rental Cost (\$)	Semester Rental Cost (\$)
					Weekly Utilization Factor (%)	Monthly Rental Rate (\$/sq)	Monthly Rental Cost (\$)			
32-Seat Classroom *(Note 1)	784	1	40	40	100%	\$ 3.09	\$ 2,422.56	\$ 10,901.52		
4 offices	120	4	0	0	100%	\$ 3.09	\$ 1,483.20	\$ 6,674.40		
Total Utilized Space	904	5					\$ 3,905.76	\$ 17,575.92		

2026 Summer Semester \*\*(Note 2)

Space	Size (sf)	Number of Classrooms/Offices	Weekly Sections	Weekly Sections per Utilization %	Average			Monthly Rental Rate (\$/sq)	Monthly Rental Cost (\$)	Semester Rental Cost (\$)
					Weekly Utilization Factor (%)	Monthly Rental Rate (\$/sq)	Monthly Rental Cost (\$)			
32-Seat Classroom *(Note 1)	784	1	20	20	100%	\$ 3.09	\$ 2,422.56	\$ 7,267.68		
4 offices	120	4	0	0	100%	\$ 3.09	\$ 1,483.20	\$ 4,449.60		
Total Utilized Space	904	5					\$ 3,905.76	\$ 11,717.28		
							\$ 7,811.52	\$ 46,869.12		

\*Notes:

(1) The classroom availability at Pecan Campus General Academic Building Y (784 sq. ft.): -

Y1.202 - Classroom

Y 1.801 Office Space with Four Cubicles

Monday - Friday 8am to 8 pm

No Weekend Classes

(2) Summer Months are calculated if Charter School uses from Mid May to Mid August

## **Review and Recommend Action on Contracting Architectural Services for the Pecan Campus Institutional Support Services Building N Expansion**

**Purpose** To approve contracting with an architect for the project.

**Justification** Architectural services are necessary for design and construction administration services for this project. The design scope of work includes, but is not limited to, design, analysis, preparation of plans and specifications, permit applications, construction administration, and inspection of the project.

The project consists of expanding the existing Institutional Support Services Building N to provide more space for the Business Office, Purchasing, and Facilities Planning & Construction departments.

The proposed scope of work is summarized as follows:

- Expansion of Building N to the east and west sides of the building.
- Total Expansion 10,665 sq. ft.

On November 19, 2024, the Board of Trustees approved soliciting architectural services for this project. College staff evaluated the submitted statements of qualifications from the architectural firms in Rounds 1 and 2 of the evaluation process. On April 22, 2025, the Board of Trustees approved proceeding to Round 3 of the evaluation process for the top two (2) ranked firms. On May 27, 2025, the Board of Trustees approved the proposed Round 3 evaluation process.

The scoring from the Board of Trustees Round 3 evaluations, conducted on June 24, 2025, will be tabulated, and the scoring option approved by the Board in a previous agenda item will be utilized.

**Enclosed Documents** Appendix A – RFQ Solicitation Information  
Appendix B – Project Presentation  
Appendix C – Ranking and Evaluations of Respondents  
Appendix D – Fact Sheet

**Funding** The total Project 2025-002C estimated cost, including construction, design, miscellaneous, and FFE, is \$4,991,220.

Budget:

• Construction	\$3,839,400	
• Design	383,940	
• Miscellaneous	115,182	
• FFE	326,349	
• Technology	326,349	
Total		\$4,991,220

The funds are available in the Unexpended Construction Plant Fund for use in FY 2024 – 2025.

**Staff Resource** Ricardo de la Garza, Executive Director for Facilities Planning & Construction  
Mary Del Paz, Vice President for Finance and Administrative Services

**Recommendation** Administration requests the Committee recommend Board approval to authorize contracting architectural services with the highest ranked vendor for the Pecan Campus Institutional Support Services Building N Expansion project as presented.

**Appendix A**  
RFQ Solicitation Information

Advertised on	February 12, 2025 and February 19, 2025
RFQ Responses Due	February 27, 2025
RFQ Issued To	Thirty- Six (36) Vendors
Responses Received From	Nine (9) Responses
Responses Reviewed By	<b><u>Rounds 1 and 2:</u></b> Facilities Operations & Maintenance, Facilities Planning & Construction, and Purchasing Departments <b><u>Round 3:</u></b> Board of Trustees

**Appendix B**  
Project Presentation follows in the packet.

**Appendix C**  
Ranking and Evaluations of Respondents follow in the packet.

**Appendix D**  
Fact Sheet follows in the packet.



# PECAN CAMPUS

Institutional Support Services Building N  
Expansion

2025-002C



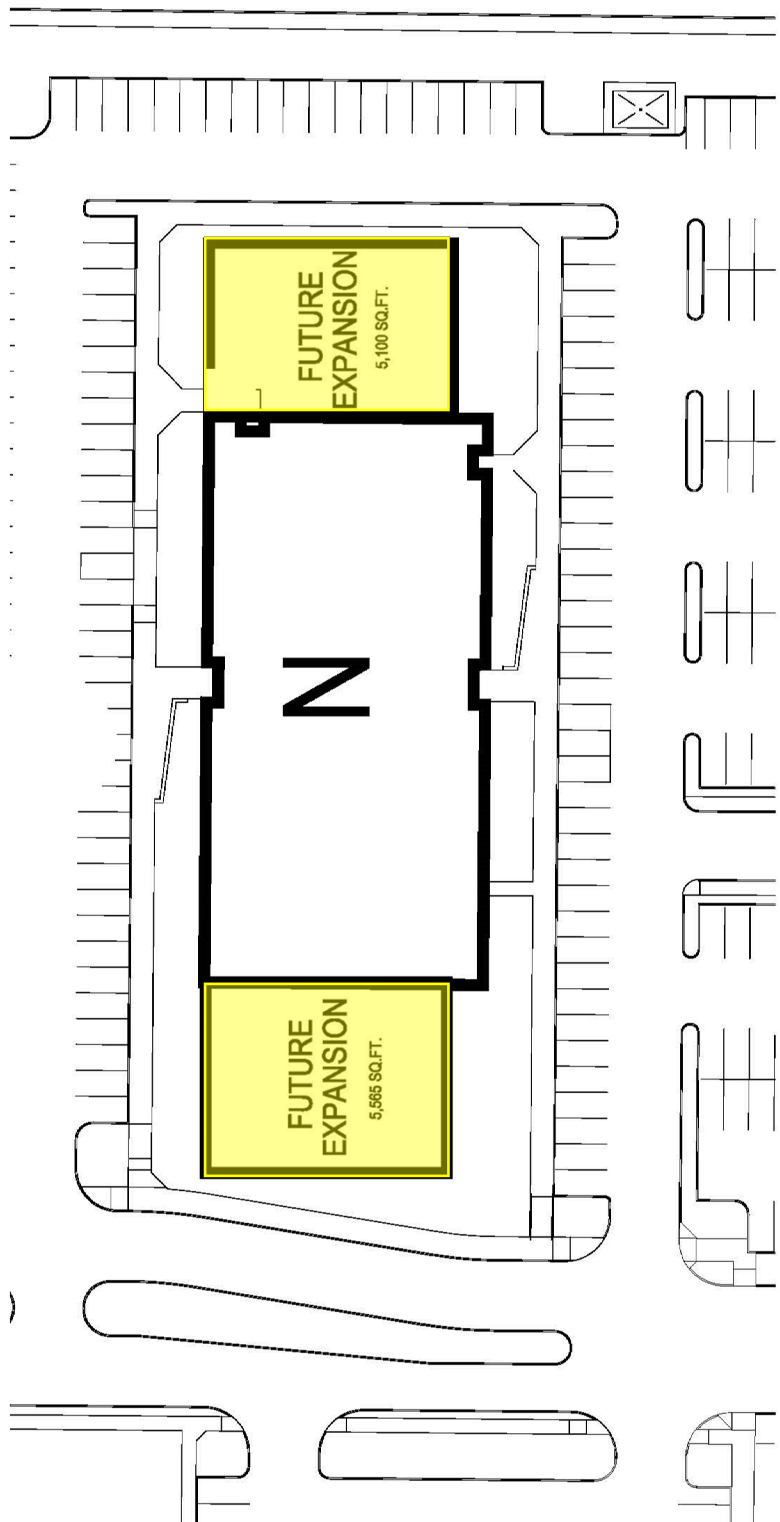
# SITE PLAN



**PROJECT LOCATION**







# PROPOSED EXPANSION



West Expansion Proposed  
Project Location



West Expansion Existing  
Utilities

# EXISTING PHOTOS





East Expansion Proposed  
Project Location



East Expansion Existing  
Utilities

# EXISTING PHOTOS





**Requested By**

Finance and Administrative Services, Business Office, Purchasing, and Facilities Planning & Construction

**Scope of Work**

Expansion of Pecan Institutional Support Services Building N to accommodate additional space for the Business Office, Purchasing, and Facilities Planning & Construction departments

- Total Square Feet = 10,665 sq.ft.
  - West Side Expansion 5,565 sq.ft.
  - East Side Expansion 5,100 sq.ft.
- Spaces to Include:
  - Offices
  - Conference Rooms
  - Storage Rooms
  - Workrooms
  - Restrooms
  - Building Support Rooms

**Estimated Total Project Budget**

Construction	\$3,839,400
Design	383,940
Miscellaneous	115,182
FFE	326,349
Technology	326,349
<b>Total Project Budget</b>	<b>\$4,991,220</b>

**PROJECT SCOPE AND  
BUDGET**



**SOUTH TEXAS COLLEGE  
PECAN CAMPUS INSTITUTIONAL SUPPORT SERVICE BUILDING N EXPANSION  
PROJECT NO. 24-25-1049**

<b>VENDOR</b>	Boultinghouse Simpson Gates Architects	Brown Reynolds Watford Architects	CG5 Architect, LLC.	goERO International, LLC. /dba ERO Architects	Milnet Architectural Services, PLLC.	Negrete & Kolar Architects, LLP.	Orange Made Architecture	PBK Architects, Inc.	Sam Garcia Architect, LLC.
<b>ADDRESS</b>	3301 N McColl Rd	701 E Expway 83 Ste 150	1314 E 22nd St	135 Paseo Del Prado Ste 58	608 S 12th St	11720 North IH-35	910 Redwood Ave Ste 10	6316 N 10th St Ste A101	1200 Auburn Ave Ste 280
<b>CITY/STATE/ZIP</b>	McAllen, TX 78501	McAllen, TX 78501	Mission, TX 78572	Edinburg, TX 78539	McAllen, TX 78501	Austin, TX 78753	McAllen, TX 78501	McAllen, TX 78504	McAllen, TX 78504
<b>PHONE</b>	956-630-9494	214-528-8704	956-239-2438	956-655-4655	956-688-5656	512-461-8810	956-800-4384	210-854-0241	956-631-8327
<b>FAX</b>	956-630-2058	214-528-8707		956-382-6256	956-687-9289			956-829-0578	
<b>CONTACT</b>	Danny Boultinghouse	Andrew Evertson	Jose C. Garcia, III	Brian Godinez	Rodolfo R. Molina, Jr.	David Negrete	Carolina Civarolo	Cliff Whittingstall	Sam R. Garcia
<b>2.1 Statement of Interest</b>									
<b>2.1.1 Statement of Interest for Project</b>	Stated their 20-year history working with South Texas College which includes familiarity with requirements and expectations.	Focus on re-envisioning collegiate facilities. They create spaces that not only meet the College's functional needs but also inspire staff and visitors alike. Focus on maximizing natural light, integrating shared amenities, and optimizing storage utilization, we ensure spaces are both functional and pleasant to work in.	Stated their design and professional services team has extensive experience that includes multiple and varied from Gas Stations/Convenience Stores to Municipal parks and School District projects including Higher Education, that closely match the Scope of Work indicated for STC.	Stated they have designed and provided professional services for several STC projects throughout the years. Their availability has sufficient staff and resources to support the requirements of the potential workload, even with our core team involved with other projects.	The firm stated they have over 25 years working with clients through design and construction on various education projects.	Indicated their qualifications demonstrates a long resume of conversion, repurpose and renovation of facilities.	They have extensive experience in adaptive reuse public, and commercial projects. Focus on philosophy to prioritize efficient layouts, sustainable solutions, and seamless integration with existing infrastructure, to ensure that all the expansion meets the needs of faculty and staff.	Pointed out they have completed numerous projects with the exact same program elements as this project.	Indicated they are looking forward to the opportunity to work closely with STC and show the firm's capabilities. Stated they are available and well-qualified for this project.
<b>2.1.2 History and Statistics of Firm</b>	- Firm established in 1990 - 600+ successful projects and 85% repeat client rate - Staff of 10	- 41 years of experience - Headquartered in Dallas, TX -Staff of 170 employees	- Established in 2014 - Principal's experience spans 30 years and includes leadership roles on multi-million-dollar projects - Principal's credentials include State of Texas licensed; State of Texas Registered Architectural Firm; member of the American Institute of Architects; former Board of Trustee, President & Member for Mission CISD	- Created in 2001 - Headquartered in McAllen, TX - Has completed more than 310 projects -Staff of 25 employees	- Established in 2000 - Pointed out experience in educational design. - Pointed out the 40 years experience of principal	- Offices in Austin and Edinburg - Principal has 40+ years experience - Established in 2003	- Established in 2013 - Total Staff of 9 plus 2 part-time - Over 40 yrs of experience	- Established in 2006 - Full- service office providing architectural, interior design, engineering (MEP and Civil) planning, graphics/visualization, programming, planning and facility consulting.	- Founded in 2013 - Based in McAllen, TX
<b>2.1.3 Narrative describing the design team's unique qualifications and specialized design experience as it relates to the project</b>	Stated the firm's philosophy of being "client" oriented as much as "project" oriented. Over 25 years of providing A/E services to STC, very familiar with our system, staff and campus.	Focus on what matters. With the spanning of a period of 40 years of high quality work. The reputation and approach we take is what makes us unique.	Stated that their team of consultants have a broad experience base from which to call upon for any size and type of project. Especially has extensive knowledge and experience with educational settings for both K-12 and higher education levels.	Stated their holistic approach to each project is what sets them apart in their industry. Their clients are strategic partners during each phase of a project, whether feasibility, assessment, programming, design or construction.	Stated they manage and coordinate a project from beginning to end, because of this they are able to use their knowledge base of Best Management Practices to the advantage of the project.	Stated that with DBR and Chanin Engineering as our design team members, we collectively have decades of experience completing successful educational setting projects throughout Texas.	Pointed out the teams has a vast amount of experience designing commercial, and financial institutions.	Pointed out they have an extensive background in small to large renovation projects. Worked on over 2,200 renovation projects, which represents over 70% of their project experience.	Cited the principal's extensive experience and his personal involvement in a project throughout the entire process.
<b>2.1.4 Statement of Availability and Commitment</b>	Indicated their availability and commitment to the project. Stated that project architect and project manager would be involved with the project until completed.	Indicated their availability and commitment to the project. Stated that they will not change the team involved with the project until completed.	CG5 believes that one point of contact is key to project success. This allows us to maintain quality control from project start to project close-out and owner occupancy. CG5 stands ready, willing, and able to meet any project timelines and is very aware and able to meet higher education time milestones.	Stated their team has been carefully assembled to exceed our expectations. Each of them have worked together multiple times. They will collaborative from start to finish, first seeking and then solving problems as they progress through the project.	Stated they do not pursue projects unless it is certain to have the capabilities, talent, and personnel to produce outstanding projects on or ahead of schedule.	Indicated the firm will commit to having staff available according to the schedules determined.	Confirmed the availability of the team on being there for the duration of any project that may come available through STC.	Indicated their team fully commits the necessary time and resources for the successful completion of the project.	Indicated they are ready and available to execute assignments associated with the project and commit to the timely execution of this project.

**SOUTH TEXAS COLLEGE  
PECAN CAMPUS INSTITUTIONAL SUPPORT SERVICE BUILDING N EXPANSION  
PROJECT NO. 24-25-1049**

<b>VENDOR</b>	Boultinghouse Simpson Gates Architects	Brown Reynolds Watford Architects	CG5 Architect, LLC.	goERO International, LLC. /dba ERO Architects	Milnet Architectural Services, PLLC.	Negrete & Kolar Architects, LLP.	Orange Made Architecture	<b>PBK Architects, Inc.</b>	Sam Garcia Architect, LLC.
<b>2.2 Prime Firm</b>									
<b>2.2.1 Resumes of Principals and Key Members</b>	Included resumes for the following: - Robert S. Simpson, Principal Architect - John Gates, Principal Architect	Included resumes for the following: - Andrew Evertson, Project Principal -Chris Sano, Project Designer - Carmen Madden, Project Manager - Andres Vela, Project Architect - Lenda Sturdivant - Interior Designer	Included resumes for the following: - Jose Charlie Garcia III, Owner, Principal -Olga N. Garcia, Owner/ Partner - Herman Mendez, Chief Project Manager - David Mejia, Project Manager - Emily Cavazos - Designer/Drafter	Included resumes for the following staff: -Yesenia Tijerina, Assoc. AIA -Octavio Cantu, Jr., Design Lead - Juan J. Cantu, AIA, NCARB, LEED AP BD+C - Roberto Pruneda, RID, NCIDQ	Included resumes for the following staff: - Rodolfo R. Molina, Jr, President - Miguel A. Garcia Jr. , Production Staff - Neftali E. Cruz - Project Manager - Ruben Hernandez, Project Manager	Included resumes for the following staff: - David N. Negrete, Principal Partner - Andres L. Mata, Jr., Project Manager - Esteban Zamora, Project Architect - Bruce W. Menke, Project Manager - Jason T. George, Architect/ Project Manager	Included resumes for the following staff: - Carolina Civarolo, AIA LEED AP - Erick Darbo Diaz, AIA - Eliazar Rodriguez, Production Team Leader - Luis Mauro Murillo, Project Manager - Pedro Alan Correa, Project Manager	Included resumes for the following staff: - Cliff Whittingstall - Principal-in-Charge - David Iglesias, Associate Principal - Elissa Villarreal, Senior Associate, Assistant Project Manager - Jose A. Castorena, Project Architect - Juan Dominguez, Architectural Production - Scott Adams, Senior Principal/ Design Lead - Joaquin Abrego, Principal, HIED Interior Design Lead - Brent Lummus, Cost Estimator - Jessica Brehm, Principal, Quality Assurance/Quality Control	Included resumes for the following: - Sam R. Garcia, Principal - Sergio Castillo, Production Manager - Zuri Rivera, Lead Designer - Jose Luis Rios, Jr., Project Architect
<b>2.2.2 Project Assignments and Lines of Authority</b>	Lines of authority and assignments within firm are shown in an organizational chart that includes ten staff members.	Lines of authority and assignments within firm are shown and the percentage of time they will dedicate.	Lines of authority and assignments within firm are shown in an organization chart.	Lines of authority and assignments within firm are shown in an organization chart.	Listed the team members for the project with the amount of time they would spend on the project. Indicated they do not "hand off" a project to a different team or personnel.	Lines of authority are indicated in an organization chart. Indicate that all team members will, at some point, dedicate 100% of time to project.	Lines of authority and assignments within firm are shown and the percentage of time they will dedicate.	Lines of authority are indicated in an organization chart.	Indicated duties and time assignments for the two key team members.
<b>2.2.3 Prime Firm proximity and meeting availability</b>	Indicated that their local presence give them the opportunity to respond in a timely many to any planned or unexpected meetings with STC.	Stated they are 10 minutes away from the STC Pecan Campus.	Indicated they are local to the RGV and is able to met and provide services immediately to STC.	Stated they are 2 miles away from the STC Pecan Campus.	Firm is located 2 miles from STC main campus.	Firm is located within 15 miles from the Pecan Campus.	Will be available and flexible to attend unscheduled meetings immediately. Close proximity to STC Pecan Campus.	Firm is located within 5 miles away from the STC and able to respond at a moments notice to any items that may arise.	Indicated that the firm is 2.7 miles away from the Pecan Campus.
<b>2.2.4 Describe any litigation the prime firm is currently involved in which could affect the firm's ability to provide professional services to STC</b>	Indicated that the firm is not involved in any litigation that could affect the firm's ability to provide professional services.	Indicated that the firm is not involved in any litigation.	Indicated that the firm is not or has not ever been involved in any litigation.	Indicated that the firm is not involved in any litigation.	Indicated that the firm is not involved in any litigation.	Indicated that the firm is not or has not ever been involved in any litigation.	The firm is not involved in any litigation.	Indicated that the firm is not involved in any litigation.	Indicated that the firm is not involved in any litigation.
<b>2.3 Project Team</b>									
<b>2.3.1 Organization chart with Role of Prime Firm and each consultants firm</b>	Included organizational chart which showed the following consultant: - Halff Associates, Inc. - MEP - Chanin Engineering, LLC - Structural	Included organization chart showing prime firm and the following consultants: - JQ Infrastructure - Structural & Civil Engineering - DBR Engineering - MEP Engineering - SMR - Landscape Architect - DataCom - AV/IT/Security - Halford Busby - Cost Estimating	Included organizational chart which showed the following consultants: - CLH Engineering - Civil & Structural Engineering - VME Engineering LLC - MEP	Included organizational chart showing prime firm and the following sub-consultants: - DBR - MEP/Security/Fire Suppression - Perez Consulting Engineers - Civil Engineering & Parking/Utilities - Chanin Engineering, Structural Engineering	Included organizational chart showing prime firm and the following consultant: - DBR Engineering - MEP -Structural Engineer - To be Determined as Required Upon Review of Project Scope - Structural	Included organizational chart showing prime firm and the following consultant: - DBR Engineering - MEP - Chanin Engineering - Structural	Included organization chart showing prime firm and the following consultants: - Perez Consulting Engineers - Civil Engineer - Intelligent Engineering Services - Structural Engineer - Halff Associates - MEP & Technology	Included organizational chart showing prime firm and the following consultant: - BEAM, A PBK Company - Facilities/Building Envelope - Kubala, A PBK Company - Structural, MEP - LEAF, A PBK Company - MEPT Engineering - Edgeland, A PBK Company - Landscape	Included organizational chart showing prime firm and the following consultants: - Trimad Consultants, LLC - Surveyor, - Halff Associates, LLC - Electrical/Mechanical Engineer, - Rioplex Engineering - Civil Engineer, Site-Work Landscape - Architectural Landscape, - Green, Rubiano & Associates - Structural, Texas Fire Sprinkler Contractors, LLC - Fire Protection Engineer, - Halff Associates, Inc. - Information Communication Technology Services



**SOUTH TEXAS COLLEGE**  
**PECAN CAMPUS INSTITUTIONAL SUPPORT SERVICE BUILDING N EXPANSION**  
**PROJECT NO. 24-25-1049**

<b>VENDOR</b>	Boultinghouse Simpson Gates Architects	Brown Reynolds Watford Architects	CG5 Architect, LLC.	goERO International, LLC. /dba ERO Architects	Milnet Architectural Services, PLLC.	Negrete & Kolar Architects, LLP.	Orange Made Architecture	<b>PBK Architects, Inc.</b>	Sam Garcia Architect, LLC.
<b>2.4 Representative Projects</b>									
<b>2.4.1 Minimum of five (5) projects firm has worked on</b>	- UTRGV - HACRB Academic Research Building Renovations (\$342,000) - UTRGV - (BROBL) Employee/Student Clinic+Counseling Renovation (\$800,000) - UTRGV - HCEBL Clinical Education Building (\$53,839)	- South Texas College - Pecan Campus Cooper Center for Performing Arts (\$8,600,000) - Texas A&M University System - Transportation Institute State Headquarters & Research (\$15M) - Lone Star College - Westway Park Technology Center(\$7,415,900)	-La Joya ISD - Parking lot Assessments - (\$12M) -La Joya ISD - Roof Assessments (\$28.8M) - City of Mission - Speer Memorial Library & Historical Museum Roof Assessment and Recommendation (\$800,000)	- South Texas College - Regional Workforce Development Healthcare Center Building E (\$6,169,052) - South Texas College - Nursing and Allied Health Professions School Expansion (\$40,500,152) - South Texas College Continuing Education & Testing Center(\$7M)	- City of McAllen - Public Safety Building Addition & Renovation (\$3,550,000) - City of La Joya - New Public Safety Building & City Hall Renovations (\$2,292,246) - Starr County - Starr County Courthouse Annex (\$3,100,000)	- STC Nursing & Allied Health Kitchen Lab Expansion (\$180,000) - UTPA Health Sciences Center (\$1,600,000) - Dietetics Lab Renovation (\$280,000)	- Texas National Bank, McAllen, Texas (\$30M) - Little Haven PPECC, Brownsville, Texas (\$1,200,000) - Memorial Civic Center Renovation with Parks & Rec Office Addition, Pharr, Texas (\$3,500,000)	- University of Mary Hardin-Baylor II - Mabee Student Support Center & Hardy Hall Renovation and Addition (\$15,433,065) - Lee College - Student Support Renovation (\$4,533,685) - Lone Star College - Science and Health, Academic, and Music & Art Building Additions (\$19,800,000)	- Rio Bank -Hinojosa Law Firm -KHIT Chiropractic Corporation HQ
<b>2.5 References</b>									
<b>2.5.1 References for five (3) projects</b>	- UTRGV - Museum of South Texas History - City of McAllen - McAllen International Airport Terminal	- Tarleton State University - West Texas A&M University - Dallas College	- La Joya ISD - PSJA ISD - City of Mission	- City of Edinburg - Brownsville PUB - City of San Juan	- UTRGV - Edinburg CISD - PSJA ISD	- City of Edinburg - Edinburg CISD - Washington Alliance Capital, LLC	- UT Pan-American University (now UTRGV) -Texas National Bank - Freedom Bank	- Texas State Technical College -Texas A&M University - Lone Star College	- City of La Joya - EB Merit Construction - KHIT Multidisplinary Group
<b>2.6 Project Execution</b>									
<b>2.6.1 Summary of approach to project that addresses interaction with STC staff, management of different phases of the project, how you maintain quality control, and final project close-out.</b>	3 registered Architects, five full time CAD technicians, a and two administrative personnel. Stated they currently utilize Building Information Modeling (BIM).	Our Design Philosophy and Methodology will center on the premises that reflects the aspect of the building but focused on the colleges objectives through a collaborative process that encourages communication, understanding and consensus.	Stated that communication is key between all stakeholders and key personnel to expedite the design and construction process and mitigate any issues before time and cost are effected.	Indicated they follow an established management plan that has mutually agreed on milestones throughout the schedule. Formal meetings and reviews occur at those milestones. Informally for the Owner, the Design Team meets weekly to discuss issues, advance concepts, test adherence to the plan and seek and solve problems. Provided details on their project delivery process.	Provided process that includes quality control, plan & specification reviews, construction phase quality control, schedules, and budgets.	Provided a project timeline that covers key events of entire project.	Strategic structured approach from collaborative engagement, phased project management, with quality assurance & control, and a seamless close-out.	Stated that it is imperative to maximize client involvement during the design phases, as decisions made early in the design phase have the greatest impact. Included the frame work for their process.	Firm indicated that their project approach emphasizes communication between the design team, the client and other stakeholders.
<b>2.6.2 Willingness and ability to expedite services. Ability to supplement production.</b>	Stated they have been successful in controlling their workload so that they don't have to add staff solely to meet the demands of any project.	Due to our firms 170 employees, we have the ability and resources to meet the demands of the college.	Stated have the ability to staff up to 10 people for immediate resources on any size project. Our consultants are staffed locally in the RGV and also have the ability to meet any size work demand to meet schedules and timelines.	Stated they are willing and able to expedite design services and construction administration for the project.	Stated they will provide STC with expedited services and deliver the project on time or ahead of schedule with fewer interruptions in production and better communication regarding standards of design and construction.	Indicated that they are involved in a limited amount of major long-term project delivery programs and their staff is fully capable of undertaking the projects assigned.	Indicated they have the capacity, experience, and proactive management strategies necessary to meet tight timelines without compromising quality.	Stated that the McAllen office will be our primary contact, but we will also utilize our company wide staff to meet your schedule demands and project needs.	Stated they can and will do what needs to be done from a staffing and manpower perspective to meet client's project deadlines.
<b>TOTAL EVALUATION POINTS</b>	565.80	569.00	546.80	567.20	537.00	538.00	559.20	571.00	538.80
<b>RANKING</b>	4	2	6	3	9	8	5	1	7

The Director of Purchasing has reviewed all the responses and evaluations completed.

SOUTH TEXAS COLLEGE  
PECAN CAMPUS INSTITUTIONAL SUPPORT SERVICE BUILDING N EXPANSION  
PROJECT NO. 24-25-1049  
EVALUATION SUMMARY

VENDOR	Boultinghouse Simpson Gates Architects		Brown Reynolds Watford Architects		CG5 Architect, LLC.		goERO International, LLC. /dba ERO Architects		Milnet Architectural Services, PLLC.		Negrete & Kolar Architects, LLP.		Orange Made Architecture		PBK Architects, Inc.		Sam Garcia Architect, LLC.	
ADDRESS	3301 N McColl Rd		701 E Expway 83 Ste 150		1314 E 22nd St		135 Paseo Del Prado Ste 58		608 S 12th St		11720 North IH-35		910 Redwood Ave Ste 10		6316 N 10th St Ste A101		1200 Auburn Ave Ste 280	
CITY/STATE/ZIP	McAllen, TX 78501		McAllen, TX 78501		Mission, TX 78572		Edinburg, TX 78539		McAllen, TX 78501		Austin, TX 78753		McAllen, TX 78501		McAllen, TX 78504		McAllen, TX 78504	
PHONE	956-630-9494		214-528-8704		956-239-2438		956-655-4655		956-688-5656		512-461-8810		956-800-4384		210-854-0241		956-631-8327	
FAX	956-630-2058		214-528-8707				956-382-6256		956-687-9289						956-829-0578			
CONTACT	Danny Boultinghouse		Andrew Everton		Jose C. Garcia, III		Brian Godinez		Rodolfo R. Molina, Jr.		David Negrete		Carolina Civarolo		Cliff Whittingstall		Sam R. Garcia	
2.1 Statement of Interest (up to 100 points)																		
2.1.1 Statement of interest on project	90	94.8	95	94.4	85	91	90	94.4	90	93.2	90	93.2	85	91.2	95	95.2	85	93.4
2.1.2 Firm History including credentials	92		92		92		91		91		92		93		91			
2.1.3 Narrative describing the design team's unique qualifications and specialized design experience as it relates to the project	100		95		90		100		100		100		95		100		100	
2.1.4 Availability and commitment of firm and its principal(s) and key professionals	94		94		93		94		93		93		94		94		93	
	98		96		95		96		92		92		90		94		98	
2.2 Prime Firm (up to 100 points)																		
2.2.1 Resumes giving the experience and expertise principles and key members for the prime firm that will be involved in the project(s), including their experience with similar projects and the number of years with the prime firm	90	93.8	95	94.6	85	88.8	90	92.6	85	91.8	90	92.8	80	91	95	94.4	85	92.4
	92		92		91		92		91		91		92		93		91	
2.2.2 Proposed project assignments, lines of authority, and communication for principals and key professional members of the prime firm that will be involved in the project(s). Indicate the estimated percent of time these individuals will be involved in the project(s).	95		95		90		95		95		95		95		95		95	
2.2.3 Prime Firm proximity and meeting availability	94		94		93		94		93		93		93		94		93	
2.2.4 Describe any litigation the prime firm is currently involved in which could affect the firm's ability to provide professional services to STC	98		97		85		92		95		95		95		95		98	
2.3 Project Team (up to 100 points)																		
2.3.1 Organizational chart showing, the roles of the prime firm and each consultant firm or individual included.	85	90.4	95	94	85	89.6	90	93.2	85	91.6	85	89.8	90	93	95	94.4	90	92.8
--Identify the consultant and provide a brief history about the consultant	92		92		91		91		90		90		92		92		90	
--Describe the consultant's proposed role in the project and its related project experience	95		95		95		95		95		95		95		95		95	
--List a project(s) that the prime firm and the consultant have worked together on during the last five years	95		93		92		95		93		94		93		95		94	
--Provide a statement of the consultant's availability for the projects(s)	85		95		85		95		95		85		95		95		95	
--Provide resumes giving the experience and expertise of principals and key professional members for the consultant who will be assigned to the projects(s)																		

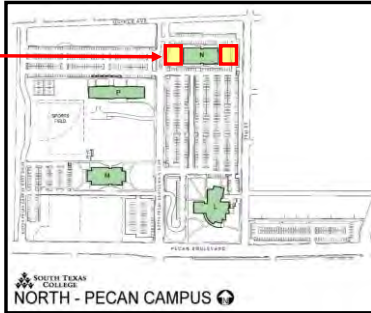
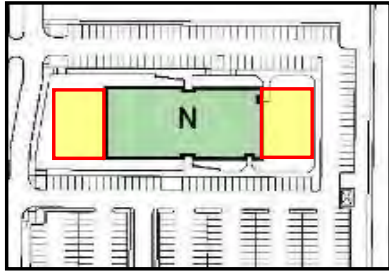


SOUTH TEXAS COLLEGE  
PECAN CAMPUS INSTITUTIONAL SUPPORT SERVICE BUILDING N EXPANSION  
PROJECT NO. 24-25-1049  
EVALUATION SUMMARY

VENDOR	Boultinghouse Simpson Gates Architects		Brown Reynolds Watford Architects		CG5 Architect, LLC.		goERO International, LLC. /dba ERO Architects		Milnet Architectural Services, PLLC.		Negrete & Kolar Architects, LLP.		Orange Made Architecture		PBK Architects, Inc.		Sam Garcia Architect, LLC.	
2.4 Representative Projects (up to 100 points)																		
2.4.1 Specific data on 5 projects the prime firm provided or is providing professional services in an educational setting --Project name and location; Project Owner and contact information; Project construction cost; Project size in gross square feet; Date project was started and completed; Professional services prime firm provided for the project; Project manager; Project architect; Project designer; Names of consultant firms and their expertise.	90	93.4	90	92.6	80	87	85	92.6	90	91.8	85	92.2	90	92.2	85	92.6	85	91.4
	92		92		90		92		91		91		92		92		90	
	95		90		90		95		90		95		90		95		95	
	95		96		90		96		93		95		94		96		92	
	95		95		85		95		95		95		95		95		95	
2.5 Five References (up to 100 points)																		
2.5.1 Provide references for 3 projects, other than STC. The references shall include the following current information: --Owner's name, Owner's representative who served as the day-to-day liaison during planning, design, and construction of the project, and the Owner representative's telephone number and email address	100	100	100	100	100	100	100	100	76	76	76	76	100	100	100	100	76	76
	100		100		100		100		76		76		100		100		76	
	100		100		100		100		76		76		100		100		76	
	100		100		100		100		76		76		100		100		76	
	100		100		100		100		76		76		100		100		76	
2.6 Project Execution (up to 100 points)																		
2.6.1 Provide a summary of your approach to the project that addresses key elements such as your interaction with STC staff, management of the different phases of the project, how you maintain quality control, and final project close-out. 2.6.2 Provide information as part of submission response to assure that Architectural firm is willing and able to expedite design services and construction administration for the project. Please provide insight if Architect is intending to supplement production capability in order to meet schedule demands.	90	93.4	90	93.4	90	90.4	95	94.4	90	92.6	95	94	90	91.8	95	94.4	90	92.8
	92		92		90		91		90		90		91		92		90	
	95		95		95		95		95		95		90		95		95	
	95		95		92		95		92		94		93		95		93	
	95		95		85		96		96		96		95		95		96	
TOTAL EVALUATION POINTS	565.80		569.00		546.80		567.20		537.00		538.00		559.20		571.00		538.80	
RANKING	4		2		6		3		9		8		5		1		7	

The Director of Purchasing has reviewed all the responses and evaluations completed.

Project Fact Sheet  
6/12/2025

<b>Project Name:</b> Pecan Campus Institutional Support Services Building N Expansion					<b>Project No.</b> 2025-002C				
<b>Funding Source(s):</b> Unexpended Plant Fund									
		FY 24-25			FY 25-26				
	<b>Total</b>		<b>FY 24-25</b>	<b>Variance of</b>		<b>FY 25-26</b>	<b>Variance of</b>		
	<b>Project Budget</b>	<b>Project Budget</b>	<b>Actual</b>	<b>Project Budget</b>	<b>Actual</b>	<b>Actual</b>	<b>vs. Actual</b>	<b>Total Actual</b>	
			<b>Expenditures</b>	<b>vs. Actual</b>		<b>Expenditures</b>	<b>Expenditures</b>	<b>Expenditures To</b>	
Construction:	\$ 3,839,400.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Design:	383,940.00	307,152.00			-	-	-	-	
Miscellaneous:	115,182.00	10,000.00	489.73		-	-	-	489.73	
FFE:	326,349.00				-	-	-	-	
Technology:	326,349.00				-	-	-	-	
<b>Total:</b>	<b>\$ 4,991,220.00</b>	<b>\$ 317,152.00</b>	<b>\$ 489.73</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 489.73</b>	
<b>Project Team</b>					<b>Board Status</b>				
<b>Approval to Solicit Architect/Engineer:</b> 1/28/2025		<div style="display: flex; justify-content: space-between;"> <div> <b>Board Approval of Schematic Design</b>   <b>Substantial Completion</b>   <b>Final Completion</b> </div> <div> TBD  TBD  TBD </div> </div>			<b>Vendor</b>		<b>Contract Amount</b>	<b>Actual Expenditures</b>	<b>Variance</b>
<b>Architect/Engineer:</b> TBD					TBD	\$ -	\$ -	\$ -	
<b>Contractor:</b> TBD					TBD	\$ -	\$ -	\$ -	
<b>STC FPC Project Manager:</b> Martin Villarreal					<b>Board Acceptance</b>		TBD		
					<b>Board Acceptance</b>		TBD		
<b>Project Description</b>					<b>Project Scope</b>				
Design and construct an expansion of the Institutional Support building N at the Pecan Campus for Business Office, Purchasing and Planning & Construction departments.					Design and construct an expansion to the west side and east side of Pecan Campus building N at a total square feet of 10,665 to include offices, conference rooms, storage rooms, workrooms, restrooms, and support services rooms.				
<b>Projected Timeline</b>									
Board Approval to Solicit Architect/Engineer	Board Approval of Architect/Engineer	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date	Board Approval of Substantial Completion Date	Board Approval of Final Completion Date	FFE Completion of Move In		
1/28/2025	6/24/2025	8/26/2025	3/24/2026	4/13/2026	5/25/2027	6/22/2027	6/30/2027		
<b>Project Calendar of Expenditures by Fiscal Year</b>									
<b>Fiscal Year</b>	<b>Construction</b>	<b>Design</b>	<b>Miscellaneous</b>	<b>FFE</b>	<b>Tech</b>	<b>Project Total</b>			
2024-25	-	-	489.73	-	-	\$ 489.73			
2025-26	-	-	-	-	-	\$ -			
<b>Project Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 489.73</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 489.73</b>			
<b>Current Agenda Item</b>									
N/A									
<div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p>PROJECT SITE</p> </div> <div style="text-align: center;">  </div> </div>									

FPC Project Manager Martin Villarreal

FPC Director N/A

FPC Executive Director Rafael

## **Approval of Financial Reports for April 2025**

Administration recommends Board approval of the financial reports for the month of April 2025.

The following financial reports have been provided under separate cover:

- 1) Quarterly Investment Report and Money Market Accounts for April 2025.
- 2) Summary of Revenues for April 2025.
- 3) Summary of State Appropriations Revenue for April 2025.
- 4) Summary of Property Tax Revenue for April 2025.
- 5) Summary of Expenditures by Classification for J April 2025.
- 6) Summary of Expenditures by Function for April 2025.
- 7) Summary of Auxiliary Fund Revenues and Expenditures for April 2025.
- 8) Summary of Grant Revenues and Expenditures for April 2025.
- 9) Foundation Financial Activity for April 2025.

Ms. Mary Del Paz, Vice President for Finance and Administrative Services, will respond to questions posed by the Board.

**It is recommended that the Board of Trustees of South Texas College approve the following Minute Order proposed for consideration:**

The Board of Trustees of South Texas College approves and authorizes the submitted financial reports for the month of April 2025.

**Approval Recommended:**

**Dr. Ricardo J. Solis**  
**President**

### **Review of Informational Reports as of May 2025**

Administration includes the following information reports as of May 2025 for the Board's information.

- 1) Checks for \$125,000 and above for May 2025.
- 2) Check Register for May 2025.
- 3) Summary of Purchase Orders (Purchasing) for May 2025.
- 4) Summary of Bid Solicitations (Purchasing) for May 2025.
- 5) Employee New Hires for May 2025.
- 6) Employee Resignations/Retirements for May 2025.

The reports are presented for review by the Board and are provided under separate cover.

Ms. Mary Del Paz, Vice President for Finance and Administrative Services, will respond to questions posed by the Board.

No action is required from the Board. This item is presented for information purposes.

**Discussion and Action as Necessary on Starr County Campus  
Building Q Automotive Lab Expansion and the North Academic  
Building C HVAC-R Outdoor Covered Area Expansion Architectural  
Services (Texas Government Code 551.071, Consultation with  
Attorney)**

**Purpose** Administration will review the Starr County Campus Building Q Automotive Lab Expansion and the North Academic Building C HVAC-R Outdoor Covered Area Expansion architectural services with the Board of Trustees and legal counsel will discuss the options regarding the matter in executive session.

**Recommendation** The Board of Trustees of South Texas College approves and authorizes action as recommended by legal counsel regarding the Starr County Campus Building Q Automotive Lab Expansion and the North Academic Building C HVAC-R Outdoor Covered Area Expansion architectural services.

**Discussion and Action as Necessary on Starr County Campus  
Building Q Automotive Lab Expansion and the North Academic  
Building C HVAC-R Outdoor Covered Area Expansion Construction  
Services (Texas Government Code 551.071, Consultation with  
Attorney)**

**Purpose** Administration will review the Starr County Campus Building Q Automotive Lab Expansion and the North Academic Building C HVAC-R Outdoor Covered Area Expansion construction services with the Board of Trustees and legal counsel will discuss the options regarding the matter in executive session.

**Recommendation** The Board of Trustees of South Texas College approves and authorizes action as recommended by legal counsel regarding the Starr County Campus Building Q Automotive Lab Expansion and the North Academic Building C HVAC-R Outdoor Covered Area Expansion construction services.

## **Announcements**

### **A. Next Meetings:**

- *Tuesday, July 8, 2025*
  - 3:00 p.m. – Education and Workforce Development Committee
  - 4:00 p.m. – Facilities Committee
  - 5:00 p.m. – Finance, Audit, and Human Resources Committee
- *Tuesday, July 22, 2025*
  - 5:30 p.m. – Regular Board Meeting

### **B. Other Announcements:**

- The College will be closed July 4, 2025 in observance of the July 4th Holiday.