

**South Texas College**  
**Board of Trustees**  
**Finance, Audit, and Human Resources Committee**

Ann Richards Administration Building Board Room

Pecan Campus, McAllen, Texas

Tuesday, September 10, 2024 @ 5:15 p.m.

**Agenda**

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

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- II. Review and Action as Necessary on Purchases, Renewals, and Interlocal Agreements..... 33-72
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  - 1) Graduation Facility Lease Agreement (Lease/Purchase)
  - Purchases and Renewals - Non-Instructional Items
  - 2) Catering Services (Renewal)
  - 3) Chiller Maintenance Agreement and Repair Services (Renewal)
  - 4) Equipment Rental Services (Renewal)
  - 5) Fire Suppression Systems Service (Renewal)
  - 6) In-Store Purchase of Materials and Supplies (Renewal)
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  - 8) Vehicle Maintenance and Repair Services – II (Renewal)
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  - 9) Dual Enrollment Software License Agreement (Renewal)
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**Approval of August 12, 2024 Finance, Audit, and Human Resources Committee  
Minutes**

The Minutes for the Finance, Audit, and Human Resources Committee Meeting of August 12, 2024, are presented for Committee approval.

**South Texas College  
Board of Trustees  
Finance, Audit, and Human Resources Committee  
Ann Richards Administration Building Board Room  
Pecan Campus, McAllen, Texas  
August 12, 2024 @ 5:00 p.m.**

**Minutes**

The Finance, Audit, and Human Resources Committee Meeting was held on Monday, August 12, 2024 in the Ann Richards Administration Building Board Room at the Pecan Campus in McAllen, Texas. The meeting commenced at 5:53 p.m. with Mrs. Dalinda Gonzalez-Alcantar presiding.

Members present: Mr. Paul R. Rodriguez and Danny Guzman.

Other Trustees Present: Mrs. Victoria Cantu, Dr. Alejo Salinas, Jr., and with Ms. Rose Benavidez attending via teleconference

Members absent: None

Also present: Dr. Ricardo J. Solis, Ms. Mary Del Paz, Dr. Matthew Hebbard, Dr. Anahid Petrosian, Dr. Rodney Rodriguez, Dr. Jesus Campos, Dr. Brett Millan, Mrs. Myriam Lopez, Mr. George McCaleb, Mr. Rick De La Garza, Ms. Deyadira Leal, Dr. Zachary Suarez, Ms. Alicia Correa, Mrs. Carla Rodriguez, Mr. Khalil Abdullah, Mr. Daniel Montez, Dr. Miguel De Los Santos Mr. Andrew Fish, and Ms. Venisa Earhart.

**Approval of June 11, 2024 Finance, Audit, and Human Resources  
Committee Minutes**

The Minutes for the Finance, Audit, and Human Resources Committee Meeting of June 11, 2024, are presented for Committee approval.

Mrs. Gonzalez-Alcantar called for any corrections to the Minutes as written. Hearing none, he adopted the Minutes for the June 11, 2024 Committee Meeting as presented.

**Discussion and Action as Necessary on Potential Cash Defeasance of  
South Texas College Limited Taxable Refunding Bonds, Series 2020**

Purpose and Justification – Administration requested the Committee recommend Board approval on potential cash defeasance of the South Texas College Limited Taxable Refunding Bonds, Series 2020 (LTR Bond 2020).

Background - The College's financial advisors, Estrada Hinojosa, have reviewed with College staff the option to defease approximately \$3,901,538 for the LTR Bond 2020 debt for the fiscal year 2032.

The bond defeasance presents an opportunity for the College to reduce bond debt and reduce the Interest and Sinking (I&S) reserve balance.

All associated bond defeasance costs, such as the financial advisor and paying agent fees, will be charged to the I&S Fund.

Reviewers - The Vice President for Finance and Administrative Services and Business Office Staff have reviewed the information being presented.

Enclosed Documents – A presentation, which includes a rationale description and a defeasance analysis worksheet submitted by Estrada Hinojosa, followed in the packet for the Committee's information and review.

Dr. Miguel de los Santos from Estrada Hinojosa was present at the Committee Meeting to review the defeasance of the LTR Bond 2020 and to address any questions.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board approval on potential cash defeasance of the South Texas College Limited Taxable Refunding Bonds, Series 2020 (LTR Bond 2020), and maintain the current (FY 2024) I&S tax rate for FY 2025, as presented.

The motion carried.

## **Review and Discussion of South Texas College Proposed 2024 Tax Rate**

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

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

The Texas Tax Code 26.04(e) requires the taxing units to publish a Notice of Tax Rate and sets out the requirement for the format and content of the notice. The notice shall be posted prominently on the home page of the taxing unit's website in the form prescribed by the Texas State Comptroller's office that include the statutory requirements. In

addition, the Texas Tax Code 26.06(c) requires the taxing unit to publish a Notice of Public Hearing in newspaper, website, and on TV, if available, if the taxing unit proposes a tax rate that:

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

The Vice President for Financial Administrative Services and Business Office staff met with Estrada Hinojosa to discuss the following options for the Levy 2024 tax rate.

- Option 1 – Do not use the Interest and Sinking reserve funds and no defeasance of bond debt.
- Option 2 - Use the Interest and Sinking reserve funds to lower the debt tax rate to maintain the same total tax rate.
- Option 3 – Maintain the same debt tax rate as fiscal year 2024 by increasing the bond debt by \$2,050,000 and issue a defeasance to pay off and decreased a debt requirement.

Option 1 is based on zero use of Interest and Sinking reserve funds for the debt tax rate. With this option, the debt tax rate will collect the amount necessary to fully fund all current debt service payments. The table below reflects zero use of Interest and Sinking reserve funds for bond payments, which results in a debt tax rate of \$0.0190.

	M&O RATE	DEBT RATE	RATE	REVENUE
No-New-Revenue Tax Rate (Formerly Effective Tax Rate)			\$0.1556	\$87,537,482
Voter-Approval Tax Rate (Formerly Rollback Tax Rate)	\$0.1393	\$0.0190	\$0.1583	\$89,056,448
<b>Proposed Tax Rate</b>	<b>\$0.1393</b>	<b>\$0.0190</b>	<b>\$0.1583</b>	<b>\$89,056,448</b>

Option 2 is based on the use of Interest and Sinking reserve funds to lower the debt tax rate. The table below reflects using \$1,200,000 Interest and Sinking reserve funds for the bond payments which results in a rate of \$0.0169.

	M&O RATE	DEBT RATE	RATE	REVENUE
No-New-Revenue Tax Rate (Formerly Effective Tax Rate)			\$0.1556	\$87,537,482
Voter-Approval Tax Rate (Formerly Rollback Tax Rate)	\$0.1393	\$0.0169	\$0.1562	\$87,875,030
<b>Proposed Tax Rate</b>	<b>\$0.1393</b>	<b>\$0.0169</b>	<b>\$0.1562</b>	<b>\$87,875,030</b>

Option 3 is based on maintaining the same debt tax rate as fiscal year 2024 by increasing the bond debt by \$2,050,000 in order to defease a debt requirement.

	M&O RATE	DEBT RATE	RATE	REVENUE
No-New-Revenue Tax Rate (Formerly Effective Tax Rate)			\$0.1556	\$87,537,482
Voter-Approval Tax Rate (Formerly Rollback Tax Rate)	\$0.1393	\$0.0227	\$0.1620	\$91,137,995
<b>Proposed Tax Rate</b>	<b>\$0.1393</b>	<b>\$0.0227</b>	<b>\$0.1620</b>	<b>\$91,137,995</b>

Dr. Miguel De Los Santos, from Estrada Hinojosa was present at the Committee Meeting to discuss the tax rate for Levy 2024 options for using the Interest and Sinking Reserve funds.

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

In fiscal year 2024, South Texas College held a public hearing and published special notices before adopting the tax rate of \$0.1562. The tax rates for Levy 2023 were \$0.1335 cents for M&O and \$0.0227 for I&S.

Enclosed Documents - The presentation on Proposed 2024 Property Tax Rate was included in the packet for information and review by the Committee.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board approval of Option 3 of the proposed 2024 tax rate, as presented.

The motion carried.

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

Purpose and Justification – Administration requested the Committee recommend Board approval for record vote and to schedule a public hearing regarding adoption of the proposed tax rate that exceeds the no-new-revenue tax rate and/or the voter-approval tax rate.

A taxing unit is required to hold a public hearing and publish newspaper ads before adopting a tax rate if that tax rate exceeds the no-new-revenue tax rate and/or the voter-approval tax rate. The following table provides the tax rates option:

		M&O RATE	DEBT RATE	RATE	REVENUE
	No-New-Approval Tax Rate (Formerly Effective Tax Rate)			\$0.1556	\$87,537,482
Option 1	Voter-Approval Tax Rate (Formerly Rollback Tax Rate)	\$0.1393	\$0.0190	\$0.1583	\$89,056,448
Option 2	Voter-Approval Tax Rate (Formerly Rollback Tax Rate)	\$0.1393	\$0.0169	\$0.1562	\$87,875,030
Option 3	Voter-Approval Tax Rate (Formerly Rollback Tax Rate)	\$0.1393	\$0.0227	\$0.1620	\$90,137,995

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

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

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board approval to take a record vote and schedule a public hearing on September 24, 2024, at 5:15 PM before adopting a proposed tax rate, which exceeds the no-new-revenue rate and/or the voter-approval tax rate.

The motion carried.

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

Purpose and Justification – Administration requested the Committee recommend Board approval of the following award of proposal, purchases, renewals, and interlocal agreements at a total cost of \$4,091,522.57.



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

Upon a motion by Mr. Paul R. Rodriguez. and a second by Mr. Danny Guzman, the Committee recommended Board approval the award of proposals, purchases, renewals, and an interlocal agreement at a total cost of \$4,091,522.57, as listed below:

**Award of Proposal**

- 1) **Campus Dining and Food Trucks – Starr County Campus (Award):** Award the proposal for the campus dining and food trucks – Starr County Campus to **D.A. Restaurant Group, Inc.** (Mission, TX) (New), for the period beginning September 1, 2024 through August 31, 2025, with two one-year options to renew at no commission to the College;

**Purchases and Renewals (Instructional Items)**

- 2) **Online Tutoring Service Agreement (Purchase):** purchase an online tutoring service agreement from **Upswing International, Inc.** (Austin, TX), a sole source vendor, for the period beginning September 1, 2024 through August 31, 2026, at a total amount of \$259,000.00, which provides nine thousand (9,000) service hours;
- 3) **Software and Educational Supplies (Purchase) – Grant Funded:** purchase software and educational supplies from **Technical Laboratory Systems, Inc.** (Tech-Labs) (Katy, TX), The Interlocal Purchasing System (TIPS), and Choice Partner purchasing cooperatives approved vendor, for the period beginning September 1, 2024, through August 31, 2025, at an estimated total amount of \$100,000.00, which is based on prior year expenditures;
- 4) **Lease of Trucks (Renewal):** renew the lease of a truck contract with **Trancasa USA, Inc.** (Pharr, TX) for the period beginning November 1, 2024 through October 31, 2025, at an estimated amount of \$39,600.00;

**Purchases and Renewals (Non-Instructional Items)**

- 5) **Audio Visual Equipment and Supplies (Purchase):** purchase audio visual equipment and supplies for the period beginning September 1, 2024, through August 31, 2025, at an estimated total amount of \$320,000.00, which is based on prior year expenditures. The purchasing-cooperative approved vendors are as follows:

<b>Vendor (City, State) - Purchasing Cooperative</b>	<b>Amount</b>
<b>Audio Visual Aids</b> (San Antonio, TX) – Texas Department of Information Resources (DIR), Texas Association of School Boards (TASB) – Buyboard, and The Interlocal Purchasing System (TIPS)	\$100,000.00
<b>B&amp;H Foto &amp; Electronics, Corp./ dba B&amp;H Photo Video</b> (New York, NY) – E&I Cooperative Services, Omnia Partners, and Texas Association of School Boards (TASB) – Buyboard	150,000.00

<b>Howard Technology Solutions</b> (Ellisville, MS) – Texas Department of Information Resources (DIR), The Interlocal Purchasing System (TIPS), Choice Partners, Omnia Partners, and Texas Association of School Boards (TASB) – Buyboard	70,000.00
<b>Total Amount</b>	<b>\$320,000.00</b>

- 6) Computer Components, Peripherals, Software, and Supplies (Purchase):** purchase computer components, peripherals, software, and supplies for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$530,000.00, which is based on prior year expenditures. The purchasing-cooperative approved vendors are as follows:

<b>Vendor (City, State) - Purchasing Cooperative</b>	<b>Amount</b>
<b>B&amp;H Foto &amp; Electronics, Corp./ dba B&amp;H Photo Video</b> (New York, NY) – E&I Cooperative Services, Omnia Partners, and Texas Association of School Boards (TASB) – Buyboard	\$120,000.00
<b>CDW Government, LLC</b> (Vernon Hill, IL) – Choice Partners, Texas Department of Information Resources (DIR), E&I Cooperative Services, Omnia Partners, Sourcewell, Purchasing Association of Cooperative Entities (PACE), and The Interlocal Purchasing System (TIPS)	150,000.00
<b>Dell Marketing, LP</b> (Dallas, TX) – Texas Department of Information Resources (DIR)	70,000.00
<b>Reyna Enterprise, Inc. dba Computer Repair Center</b> (McAllen, TX) – Texas Department of Information Resources (DIR)	100,000.00
<b>SHI Government Solutions</b> (Somerset, NJ) – Sourcewell, Purchasing Association of Cooperative Entities (PACE), Texas Association of School Boards (TASB) – Buyboard, Texas Department of Information Resources (DIR), and The Interlocal Purchasing System (TIPS)	90,000.00
<b>Total Amount</b>	<b>\$530,000.00</b>

- 7) Maintenance Equipment, Parts, and Supplies (Purchase):** purchase maintenance equipment, parts, and supplies from **McCoy’s Building Supply** (San Marcos, TX/Pharr, TX), a Texas Association of School Boards (TASB) – Buyboard approved vendor, for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$50,000.00, which is based on prior year expenditures;
- 8) Purchase of Materials and Supplies (Purchase):** purchase of materials and supplies from **HEB LP. (San Antonio, TX) and Sam’s Club** (McAllen, TX), Purchasing Association of Cooperative Entities (PACE) approved vendors, for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$100,000.00, which is based on prior year expenditures;

**Purchases and Renewals (Technology Items)**

- 9) Communication Services for Radios and Equipment (Purchase):** purchase communication services for radios and equipment from **Cellco Partnership/ dba**

**Verizon Wireless** (Basking Ridge, NJ), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$86,000.00, which is based on prior year expenditures;

- 10)Banner Application Maintenance Agreement (Renewal):** renew the Banner application maintenance agreement with **Ellucian, Inc.** through Lamar Institute of Technology (Beaumont, TX) (New), acting by and through the State of Texas Department of Information Resources (DIR) for the Texas Connection Consortium (TCC), for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$379,853.73;
- 11)Data Hosting and Maintenance Agreement (Renewal):** renew the data hosting and maintenance agreement with **TouchNet Information Systems, Inc.** (Atlanta, GA), a sole source vendor, for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$290,874.00;
- 12)Data Storage Hardware Maintenance Agreement (Renewal):** renew the data storage hardware maintenance agreement with **Dell Marketing, LP** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$27,929.28;
- 13)Datacenter Uninterrupted Power Supply (UPS) Maintenance (Renewal):** renew datacenter uninterrupted power supply (UPS) maintenance agreement with **SHI Government Solutions** (Somerset, NJ), The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$17,368.09;
- 14)Digital Signature Software Subscription Agreement (Renewal):** renew the digital signature software subscription agreement with **Carahsoft Technology, Corp./DocuSign Government at Carahsoft** (Reston, VA), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$136,620.00;
- 15)Email Backup Online License Subscription (Renewal):** renew the email backup online license subscription with **SHI Government Solutions** (Somerset, NJ), a The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 6, 2024 through September 5, 2025, at an estimated total amount of \$41,894.87;
- 16)Email Security Software License Agreement (Renewal):** renew the email security software license agreement with **SHI Government Solutions** (Somerset, NJ), a The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 30, 2024, through September 29, 2025, at an estimated total amount of \$98,469.45;
- 17)Enterprise Software Licenses and Maintenance Agreements (Renewal):** renew the enterprise software licenses and maintenance agreements with **SHI Government Solutions** (Somerset, NJ), The Interlocal Purchasing System (TIPS) approved vendor, for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$124,286.18;
- 18)Internet Service Agreement – District Wide (Renewal):** renew the internet service agreement – district-wide with **Charter Communications Operating, LLC/dba Spectrum Gulf Coast** through the State of Texas Department of Information Resources (DIR) – TEXAN (Austin, TX), for the period beginning

September 1, 2024 through August 31, 2025, at an estimated monthly amount of \$15,000.00 and estimated total annual amount of \$180,000.00;

**19) Lease Management Software (Renewal):** renew the lease management software agreement with **FinQuery, LLC** (Atlanta, GA), formerly LeaseQuery, LLC, for a three-year period beginning November 2, 2024, through November 1, 2027, at an estimated total amount of \$67,992.00;

**20) Network Hardware and Software Maintenance Agreements (Renewal):** renew the network hardware and software maintenance agreements for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$155,889.66. The purchasing-cooperative approved vendors are as follows:

#	Vendor (City, State)	Number of Switches	Amount
1	<b>Netsync Network Solutions, Inc.</b> (Houston, TX) State of Texas Department of Information Resources (DIR) approved vendor	62	\$125,819.46
2	<b>SHI Government Solutions</b> (Somerset, NJ) The Interlocal Purchasing System (TIPS)	66	\$30,070.20
Total Amount:			\$155,889.66

**21) Oracle License Maintenance Agreement (Renewal):** renew the Oracle license maintenance agreement with **Oracle America, Inc.** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$648,657.61;

**22) Server Hardware and Software Maintenance and Support Agreement (Renewal):** renew the server hardware and software maintenance and support agreement for the period beginning September 1, 2024 through August 31, 2025, at an estimated total amount of \$373,972.30. The purchasing-cooperative approved vendors are as follows:

#	Vendor (City, State)	Number of Switches	Amount
1	<b>Dell Marketing, LP</b> (Dallas, TX) State of Texas Department of Information Resources (DIR)	125	\$159,077.70
2	<b>EMC Corporation</b> (Franklin, MA) State of Texas Department of Information Resources (DIR)	129	21,129.80
3	<b>Netsync Network Solutions</b> (Houston, TX) State of Texas Department of Information Resources (DIR)	129	193,764.80
Total Amount:			\$373,972.30

**23) System Appliances Maintenance Agreement (Renewal):** renew the system appliances maintenance agreement with **Netsync Network Solutions, Inc.** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning September 1, 2024 through August 31, 2025, at a total amount of \$25,684.80;

**Interlocal Agreements - Purchase**

**24) Facility Rental Agreement (Purchase/Rental):** purchase a facility rental agreement with the **City of McAllen** (McAllen, TX) through an interlocal agreement for the rental of the McAllen Convention Center for September 25, 26, and 27, 2024, at an estimated total amount of \$15,286.60;

**25) Facility Usage Agreement (Lease/Rental):** Lease/rental through facility usage interlocal agreements with the **City of Edinburg** (Edinburg, TX) and the **City of McAllen** (McAllen, TX) for the period beginning November 16, 2024, through April 11, 2025, at an estimated total amount of \$22,144.00. The events information is as follows:

Date	Location	Event	Amount
11/16/24	City of Edinburg Edinburg Municipal Auditorium	Amistades Concert Series 2024 – Fall Showcase	\$1,175.00
01/25/25	City of Edinburg Edinburg Municipal Auditorium	Amistades Concert Series 2025 – Spring Showcase	1,175.00
03/28/25 - 03/30/25	City of McAllen McAllen Convention Center	South Texas College State Dance Competition Folklorico & Contemporary Dance Competition	9,794.00
04/10/25 - 04/11/25	City of McAllen McAllen Performing Arts Center	Tradiciones 2024 Annual Concert Series	10,000.00
<b>Total Amount</b>			<b>\$22,144.00</b>

**Interlocal Agreements**

**26) Contract Training Agreement (Renewal):** renew the contract training agreement with the **McAllen Independent School District** (McAllen ISD) (McAllen, TX) for the MISD Parent and Family Engagement Program for the period of September 1, 2024 through June 30, 2025, at a total amount of \$66,381.00, as outlined to the fee structure in the proposed interlocal agreement, and payable from McAllen ISD to South Texas College.

The motion carried.

## **Discussion and Action as Necessary on Legal Services**

Purpose and Justification – Administration requested the Committee recommend Board approval on legal services with O'Hanlon, Demerath & Castillo Law Firm to provide advice and representation until terminated by either party by providing thirty (30) days advance written notice to the other party.

Background - Under Policy BCC – Board Internal Organization – Attorney, the Board shall retain an attorney or attorneys, as necessary, to serve as the College District's legal counsel and representatives in matters requiring legal services. Services to be performed and reasonable compensation to be paid by the Board shall be set forth in a written contract between the Board and the attorney or attorneys. The policy follows in the packet for the Committee's information and review.

Legal services allow the College to manage legal risk, identify legal issues, and develop plans and programs to manage and address legal problems that may arise. The scope and volume of required legal work has increased alongside the College's growth and increased accountability from state and federal agencies.

As the College continues to face and navigate complex legal matters, there is a need to strengthen access to legal expertise to ensure proper and timely attention to these matters in order to mitigate any potential risks.

On June 25, 2024, the Board of Trustees were advised by the College President on the selection and approval of legal services with O'Hanlon, Demerath & Castillo Law Firm. The hourly rate for an initial term of six (6) months is \$250. The agreement was to automatically be renewed for successive six (6) month periods.

The appointment of one or more law firms is essential for matters as follows:

- Attending Board and Committee meetings and advising Board members, Committee members, and Administration;
- Providing legal counsel and guidance to Board of Trustees and administrative staff on such matters as:
  - ⇒ Employment law (Title IX federal regulations, review of practices regarding federal laws on discrimination, retaliation, equal opportunity, veterans employment preference, human resources development)
  - ⇒ Personnel matters (Development, review and recommendation for updates of personnel policies)
  - ⇒ Development, review, and recommendation for updates of policies
  - ⇒ Procurement procedures and contracts (interpretation of procurement law and review of certain contracts, development of a standardized contract form for most services the College solicits to be included as part of the RPF or RPQ document) and contract compliance
  - ⇒ Elections
  - ⇒ Texas Open Meetings Act
  - ⇒ Texas Public Information Act

- ⇒ Construction contracts
- ⇒ Litigation representation
- ⇒ Tax Abatement Agreements and IRS examinations
- ⇒ Policy Drafting and Advising
- ⇒ Legal Counsel Advising
- ⇒ Public Information Responses
- ⇒ Real Estate
- ⇒ Intellectual Property
- ⇒ Other U.S. State and International Matters and Engagements
- ⇒ Land Use, Environmental, Health, and Safety
- ⇒ General higher education matters including, but not limited to, tort and civil liabilities
- Additional legal services as requested and authorized by the Board

As of August 12, 2024, the Board approved legal services and hourly rates are as follows:

- November 24, 2015 - Mr. Jose Guerrero, from Guerrero Law Firm, provides legal services to the College and representation, specifically related to personnel matters.
  - ⇒ Hourly rate of \$200, revised on November 29, 2022
- June 8, 2021 - Mr. Villalobos, from the Law Office of Javier Villalobos, P.C., provides legal services to the College and representation for all other non-personnel matters.
  - ⇒ Hourly rate of \$200

Reviewers – These services have been reviewed by the President, and the Vice President for Finance and Administrative Services.

Enclosed Documents – Policy BCC and the Agreement were presented in the packet for the Committee’s information and review.

Dr. Ricardo J. Solis, President, and Mary Del Paz, Vice President for Finance and Administrative Services, were present at the Committee meeting to address any questions.

Upon a recommendation by Mr. Paul R. Rodriguez and Mr. Danny Guzman this item and questions were tabled for further discussion by the Committee.

No action was taken on this item.

## **Discussion and Action as Necessary to Terminate Legal Services Agreement with Guerrero Law Firm**

Purpose and Justification – Administration requested the Committee recommend that the Board terminate the legal services agreement with Guerrero Law Firm.

Background – On November 24, 2015, the Board of Trustees approved an agreement with Mr. Jose Guerrero, from Guerrero Law Firm, to provide legal services to the College and representation, specifically related to personnel matters. On May 30, 2019 and November 29, 2022, the Board of Trustees approved the revision of his hourly rate from \$175 to \$185 and \$185 to \$200, respectively.

As per the provisions of the June 4, 2019, Legal Services Agreement between South Texas College and the Guerrero Law Firm

### **Term and Termination**

This Agreement will be in effect until terminated by either party. Either party may terminate this Agreement, by giving thirty (30) days' advance written notice to the other party.

Reviewers – The request to terminate legal services has been reviewed by the President, and the Vice President for Finance and Administrative Services

Dr. Ricardo J. Solis, President, and Mary Del Paz, Vice President for Finance and Administrative Services, were present at the Committee meeting to address any questions.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mrs. Dalinda Gonzalez-Alcantar the Committee recommended Board approval to terminate the legal services agreement with Guerrero Law Firm as presented.

The motion carried.

## **Discussion on Proposed Legal Services Related to Trademark Requirements**

Lynda Lopez, Executive Director of Public Relations and Marketing, presented on proposed legal services related to trademark requirements with Lydia Elizondo Mount, from Lydia Attorney at Law/ Mount Law, PLLC., for the period beginning August 28, 2024 through February 27, 2025, in accordance with Policy BCC – Board Internal Organization: Attorney.

Background - Trademarking the College logo will provide legal protection for the South Texas College brand and give the college exclusive rights to use the logo on marketing collateral and promotional product. The trademark will also:



- Ensure that the logo design is not replicated by any other college, business, or company.
- Prevent counterfeiting and unauthorized usage.
- Keep vendors from profiting from our logo and brand without proper authorization.
- Give South Texas College final approval on the use of the logo and ensure that it is not misused or modified in any and all printing.
- Solidify our brand identity and help increase our brand value.

Reviewers – These services have been reviewed by the President, the Vice President for Finance and Administrative Services, the Executive Director of Public Relations and Marketing, and Ben Castillo, South Texas College Legal Counsel.

Lynda Lopez, Executive Director of Public Relations and Marketing, was present at the Committee Meeting to address any questions.

No action was required from the Committee. This item is presented for information only.

### **Review and Recommend Action on Disposal of Surplus Property Valued at \$5,000 and Above**

Purpose and Justification – Administration requested the Committee recommend Board approval on the disposal of surplus property valued at \$5,000 and above through a live auction. These assets will be removed, as applicable, from the College's inventory system and general ledger.

The Fixed Assets Department requests to dispose of the obsolete, damaged, and non-functioning property for safety purposes, and due to the lack of storage area for surplus property.

Background – The surplus property goes through an evaluation process by the departments to determine if the items are damaged beyond repair and unable to be utilized throughout the College district. After this evaluation process, the department submits a request to have the property removed from their department and relocated to the Central Receiving Warehouse surplus area.

The auction items are located at the South Texas College Central Receiving Warehouse, 3700 W Military Hwy, McAllen, TX. The auction will be scheduled in the Spring at the auctioneers' site due to a lack of space at the warehouse.

Enclosed Documents - The list of the items to be auctioned was included in the packet for the Committee's information and review.

Mary Del Paz, Vice President for Finance and Administrative Services, and Deyadira Leal, Interim Director of Purchasing, were present at the Committee meeting to address any questions.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board approval on the disposal of surplus property valued at

\$5,000 and above through a live auction and for these assets to be removed, as applicable, from the College’s inventory system and general ledger as presented.

The motion carried.

### **Presentation on Employee Vacancy and Turnover Rates**

Purpose and Justification – The Board of Trustees requested that management provide a comprehensive summary of employee vacancy and turnover rates. Mary Del Paz, Vice President for Finance and Administrative Services, will present the requested information.

Monitoring employee vacancy and turnover rates provides valuable insights into the effectiveness of recruitment, employee engagement, and overall organizational wellbeing as a College.

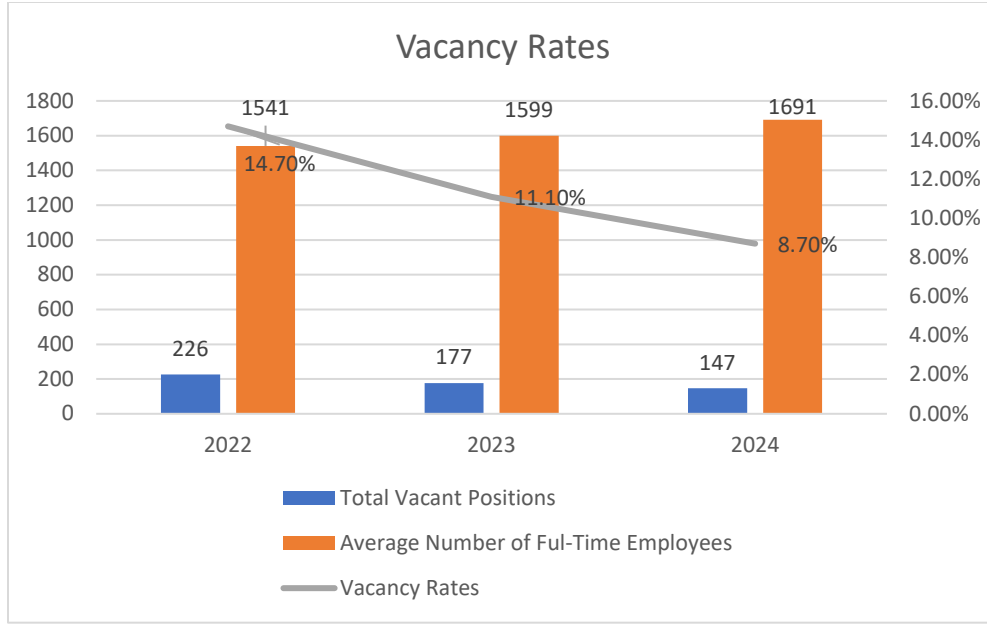
Key Definitions:

- **Vacancy Rate** is the percentage of unfilled positions in the College’s workforce compared to the total number of positions. It is calculated by dividing the number of unfilled positions during a specific period by the average number of employees in the College during that same time.
- **Turnover Rate** is a way to measure how often employees leave the College and are replaced by new ones. It is calculated by dividing the number of employees who leave during a specific period by the average number of employees in the College during that same time.

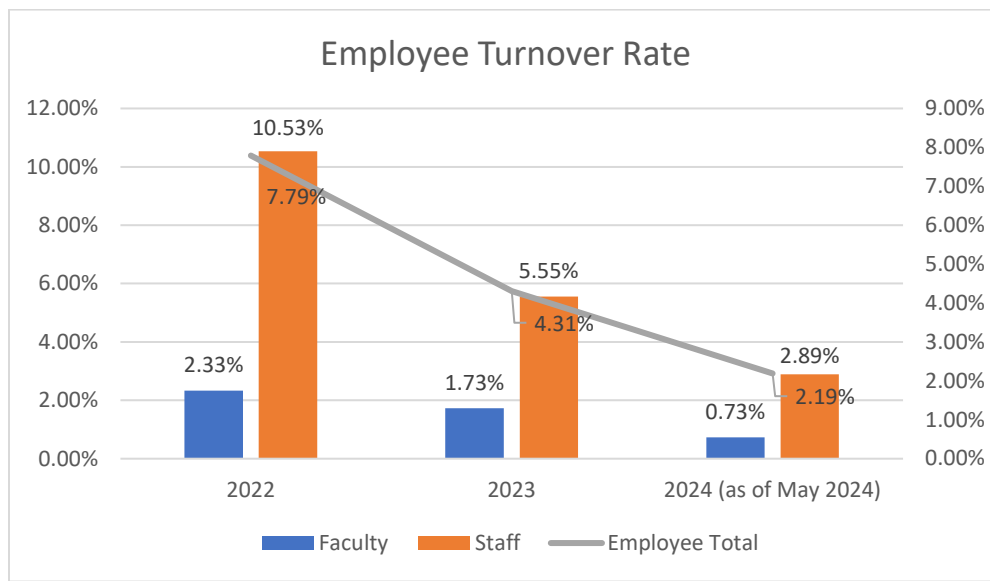
A summary of vacancy and turnover rates for the past three fiscal years follows:

<b>Vacancy Rates</b>				
<b>FY</b>	<b>Total Vacant Positions</b> <small>As of Aug 31 (I) (II)</small>	<b>Average Number of Full-Time Employees</b>	<b>Vacancy Rate</b>	<b>Industry Average</b>
2022	226	1,541	14.7%	14.0%
2023	177	1,599	11.1%	14.0%
2024 (As of May 2024)	147	1,691	8.7%	14.0%
<b>Grand Total &amp; Averages</b>	<b>550</b>	<b>1,610</b>	<b>11.5%</b>	<b>14.0%</b>

(I) Excluding Full-Time Faculty  
 (II) Excluding Frozen Positions and Unfunded Positions



Employee Turnover Rate				
Year	Faculty	Staff	Employee Total	Industry Average
2022	2.33%	10.53%	7.79%	12.00%
2023	1.73%	5.55%	4.31%	14.30%
2024 (As of May 2024)	0.73%	2.89%	2.19%	N/A
<b>Average Turnover Rate</b>	<b>1.60%</b>	<b>6.32%</b>	<b>4.76%</b>	<b>13.15%</b>



As noted within the tables presented above, both vacancy and turnover rates have steadily declined over the past three fiscal years. The decrease may be attributed to various employee benefits recently Board approved.

Mary Del Paz, Vice President for Finance and Administrative Services, and Dr. Zachary Suarez, Executive Director of Human Resources and Talent Development, were present at the Board Meeting to address questions.

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

### **Review and Discussion of Department Chair Compensation Model at South Texas College**

Purpose and Justification – Dr. Anahid Petrosian, Vice President and Provost for Academic Affairs and Economic Development, will provide a presentation on the model used to determine Department Chair compensation at South Texas College.

The model is fully explained in the Employee Compensation Plan proposed for FY 2024 – 2025. Dr. Petrosian’s presentation will provide the trustees an opportunity for further review and discussion.

#### **Department Chair as Faculty Leadership**

At South Texas College, Department Chairs are selected from among full-time faculty upon the recommendation of the Division Dean and appointment by the Provost. Department Chairs are appointed for one academic year, and may be reappointed for subsequent terms as determined by the Provost upon recommendation by the Division Dean. In Spring 2024, there were over 952 faculty members teaching South Texas College, reporting to 45 Department Chairs:

- 553 Full time faculty
- 80 adjunct faculty
- 319 dual credit faculty

As per Board Policy 3800, all full-time faculty are expected to work the equivalent of forty hours per week during the Spring and Fall semesters (nine months). This typically includes:

- 30 Instructional Hours (15 hours preparation + 15 hours classroom instruction)
- 5 Office Hours
- 5 College / Departmental Service Hours

#### **Course Load Release**

As faculty, Department Chairs are also expected to work forty hours per week; however, they are provided a partial or full course load release from teaching, depending on the number of sections taught by faculty under their leadership.

This release time provides the College an equitable way to compensate Department Chairs with adequate paid time to conduct planning, development, evaluation of faculty, and improvement of instruction within their program to ensure student success.

Course Load Release is based on the number of sections overseen by each Department Chair, as well as activities of each individual department. Larger numbers of course sections generally translate to larger numbers of faculty overseen by a Department Chair, as well as more students in their courses, and more resources managed by the Department Chair.

### **Workforce vs. Academic Program Leadership**

Department Chairs for Workforce Programs are provided Course Load Releases for fewer sections than Academic Programs. This is due to a number of additional requirements filled by those Department Chairs, including but not limited to:

- Coordination with local Advisory Committees
- Coordination of clinical and capstone student assignments
- Student recruitment activities
- Preparation and monitoring of student licensure exams
- Graduate job placement activities

Some programs are significantly supported by grants, which may also include additional duties requiring substantial course load release for program Department Chairs.

### **Department Chair Supplemental Stipend**

In addition to Course Release Time, Department Chairs are provided a \$400 monthly stipend, in addition to their base faculty salary, to compensate them for their additional duties.

### **Department Chair Summer Compensation**

The previous discussion of Course Load Release Time and Stipends covers duties during the regular Fall and Spring semesters. During Summer semesters, the number of sections offered is lower, as are the required Department Chair duties.

To equitably compensate Department Chairs for Summer courses, they have a reduced expectation of administrative working hours during the summer, and the stipends are increased based on the number of sections taught within the program, as outlined in the following presentation. The expected working hours and monthly stipend are based upon the number of sections taught within their department.

### **Three Month Summer Special Assignments**

There are two categories of Department Chairs at South Texas College who earn three-month summer extensions: Chairs for Very Large Departments and Chairs for

departments whose accreditation and licensure require full time summer hours.

### Very Large Departments

In Summer 2024, there were ten “Very Large Departments” for which the Department Chairs were compensated for full-time working hours, as required to support large numbers of course sections and faculty.

These Department Chairs are compensated at their normal base salary for the Fall and Spring semesters, but without the additional Chair Stipend that is paid during the Fall and Spring semesters. In addition to this full-time base salary, these Department Chairs are provided up to two weeks of vacation that can be used during summer months. Chairs of smaller departments who choose to work for both summer session are also provided with two weeks of vacation.

### Accreditation and Licensure Requirements

The following programs require the Department Chair to be assigned a full course release during the Fall and Spring semesters, and to serve on a full-time basis during the Summer semesters.

These departments are: Bachelor of Science in Nursing, Associate Degree Nursing, Vocational Nursing, and Cosmetology Operator Certificate.

To support this requirement, the Department Chairs for each of these departments are provided a full 12-month contract, instead of the standard 9-month contract for faculty. These Department Chairs are expected to work the College’s standard work week, and accrue vacation and benefits similar to full-time staff who work twelve month assignments.

## **History and Continuous Review of Department Chair Compensation Plan**

Dr. Petrosian will also review the historical development of the compensation plan, and administration’s ongoing coordination with Department Chairs, Division Deans, and the faculty that they represent.

This includes coordination with the Council of Chairs (COC), established in 2007 and which provides the active Department Chairs a monthly forum to discuss issues affecting their departments. The COC President also serves on all College-wide taskforces and committees, providing their valuable insights to those groups, and taking information back to the COC for communication to their fellow Chairs and the faculty they represent.

In addition to the COC, each Departmental Chair reports directly to their respective Division Dean, who in turn reports directly to the Provost. This clear, short chain of command provides streamlined communication if and when issues arise whereby a Department Chair or their program have needs or concerns. To further maintain open communications, the Provost schedules meetings each semester to speak with Department Chairs and supports online forums upon request by the COC.

Through this continuous review process, administration regularly receives feedback from STC’s Department Chairs, and compares this feedback to best practices in place at other community colleges to ensure distribution of duties and compensation are

appropriate and equitable.

Upon a recommendation by Mrs. Dalinda Gonzalez-Alcantar presentation of this item was deferred until the September Finance, Audit, and Human Resources Committee Meeting.

### **Review and Recommend Action on Proposed Employee Compensation Plan for FY 2024 – 2025**

Purpose and Justification – Administration requested the Committee recommend Board approval of the Proposed Employee Compensation Plan for FY 2024 – 2025 for all salary structure employee groups, which includes the proposed salary placement for new faculty, proposed pay grade ranges, and other compensation information.

Background – On July 13, 2022, the Board of Trustees approved the Texas Association of School Boards (TASB) Compensation Study and approved new compensation structure for FY 2022 – 2023. The College has continued to utilize the TASB to complete a compensation maintenance review for FY 2023 – 2024.

The Proposed Employee Compensation Plan for FY 2024 - 2025 incorporates TASB's annual maintenance revisions focusing on complying with State and Federal compensation regulations, ensuring compensation consistency, enhancing the ability to attract and retaining qualified faculty and staff, and to provide a clear and concise reference for compensation decisions. The following summary outlines the methodology employed by the Texas Association of School Boards (TASB) and college administration in the recommended FY 2024-2025 compensation maintenance adjustments for South Texas College.

**Market Comparison and Benchmarking** - Market peer comparisons for base pay were conducted for all South Texas College faculty degree levels and non-faculty (staff) classifications (i.e., administrative, professional, etc.). In addition, non-faculty roles were benchmarked against industry standards, competitors, and reputable sources to ensure that institutional pay grades remain competitive. As part of this benchmarking process, the following employee groups were aligned to market for the Proposed Employee Compensation Plan for FY 2024 – 2025:

- Accountants
- Adjuncts
- Administrators
- Bus Drivers
- Information Technology
- Legacy Faculty
- Project Managers/Initiatives Managers
- Maintenance Technicians

**Salary Structure Review** - Analysis was performed on the college's structured pay grade system to categorize roles and responsibilities and ensure consistent pay parity across

similar job functions. This process also included reviewing salaries within the college to ensure fairness among employees in similar roles, considering factors like experience, education, and institutional retention.

**General Pay Increase (GPI)** - On May 28, 2024, the South Texas College Board of Trustees approved a 7% GPI for FY 2024 - 2025 subject to the availability of funding and Board approval of the final budget. The recommended GPI for FY 2024-2025 will play a crucial role in the college's compensation strategy and have significant implications for both employees and the overall success of the College.

**Weighted Average for Experience (Staff)** - This year's compensation maintenance review incorporated a weighted average experience into the college's compensation plan for the Executive Administrative Professional (EAP) and Technology (TECH) pay groups to continue to serve as a strategic approach to employee remuneration that reflects both the quantity and quality of experience. This focus will allow the College to maintain parity within its compensation structure while remaining considerate of the varying importance of different roles and the depth of experience employees bring to the College.

The methodology for South Texas College's FY 2024-2025 compensation maintenance and respective salary increases is designed to promote parity, retention, and motivation among college employees. Administration continuously reviews this methodology to ensure it remains relevant and effective in achieving the college's goals.

Reviewers - The President and all the Vice Presidents reviewed the Employee Compensation Plan and approved the proposed revisions.

Enclosed Documents - A copy of the Proposed Employee Compensation Plan for FY 2024 - 2025 was included under separate cover, in the Employee Compensation Plan and Employee Staffing Plan binder, for the Committee's review and information.

Dr. Ricardo J. Solis, President, and Mary Del Paz, Vice President for Finance and Administrative Services, were present at the Committee meeting to address any questions.

Upon a motion by Mr. Danny Guzman and a second by Mr. Paul R. Rodriguez the Committee recommended Board approval on the Proposed Employee Compensation Plan for FY 2024 – 2025 as presented.

The motion carried.

### **Review and Recommend Action on Proposed Employee Staffing Plan for FY 2024 – 2025**

Purpose and Justification – Administration requested the Committee recommend Board approval of the Proposed Employee Staffing Plan for FY 2024 – 2025 for all employee groups, which includes all positions, titles, classifications, salaries, and salary pools under each Division and Organization of the College.



The Proposed Employee Staffing Plan information was prepared by the Office of Human Resources, in collaboration with the Office of the Vice President for Finance and Administrative Services, Business Office, and all other organizational divisions of the College, to reflect the College's comprehensive proposed staffing and salaries by position for FY 2024 - 2025. The Texas Association of School Boards (TASB) recommendations were incorporated based on an annual maintenance review and prepared the Employee Staffing Plan to reflect the College's approved compensation structure for FY 2024 – 2025.

Background - As indicated in Administrative Regulations, the Employee Staffing Plan is the official document listing position titles, classifications, employees, and salaries for each fiscal year under each division. The Employee Staffing Plan is not a contract between the College and any person listed on it, and neither the Employee Staffing Plan nor any action taken by the Board of Trustees concerning it should be considered creating contract rights, expectations of continued employment, or a property interest for any person listed in the Employee Staffing Plan.

At the May 28, 2024 Board Meeting, the Board of Trustees approved the faculty and non-faculty salary increases based on a 7% General Pay Increase (GPI) and other adjustments, and at the June 25, 2024 Board Meeting, the Board of Trustees approved the Staffing Plan new positions, reclassifications, and other adjustments, which are included within the Employee Staffing Plan for FY 2024 – 2025.

Funding Source – The budget to fund each position is reflected in the appropriate department and listed on the Proposed Employee Staffing Plan and is subject to Board approval of the FY 2024 – 2025 Budget.

Reviewers – The President and all the Vice Presidents reviewed the Employee Staffing Plan.

Enclosed Documents - A copy of the Proposed Employee Staffing Plan for FY 2024 – 2025 was included under separate cover, in the Employee Pay Plan and Employee Staffing Plan binder, for the Committee's review and information.

Dr. Ricardo J. Solis, President, and Mary Del Paz, Vice President for Finance and Administrative Services, were present at the Committee meeting to address any questions.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board approval on the Proposed Employee Staffing Plan for FY 2024 – 2025 as presented.

The motion carried.

## **Review and Recommend Action on Proposed Budget for FY 2024 - 2025**

Purpose and Justification – Administration requested that the Committee review the enclosed Budget for FY 2024 – 2025 and recommend approval.

Dr. Ricardo J. Solis, President, and Mary Del Paz, Vice President for Finance and Administrative Services, discussed the proposed budget for FY 2024 – 2025 with the Committee.

This is a preliminary plan for the next fiscal year that includes the following assumptions:

### **Unrestricted Fund Revenues:**

- State Appropriations revenue is based on the updated state allocation schedule for the formula funding model.
- Tuition and Fees revenue for FY 2024 - 2025 is based on projected enrollment of 16,412 traditional students, a flat increase from Fall 2023, and 10,578 dual enrollment tuition free students for Fall 2024. The tuition revenue projection is also based on the simplified tuition rate (STR) approved by the Board on March 26, 2024. The simplified tuition rate incorporates the Student Activity Fee into the In-District, Out-of-District, and Out -of State Tuition rates.
- M&O Property Tax revenue and Other Revenues for FY 2024 - 2025 are based on projections, assessed values, and trend analysis.
- Carryover Allocations (fund balance) are based on the needs of the College. The College proposes to fund initiatives from fund balance in order to support the goals and objectives for FY 2024 – 2025. The use of funds from fund balance will still allow the College to comply with the Unrestricted Fund Balance requirement since the College will exceed the minimum number of months in reserve threshold.

### **Unrestricted Fund Expenditures, Transfers and Reserves:**

- The Salary and Benefits expenditure budgets for FY 2024 - 2025 reflect the Board approved modifications including the 7% salary increase as applicable, updated changes from the Texas Association of School Boards (TASB), and the President and Board approved new positions and adjustments.
- The Operating, Travel, and Capital Outlay, and Transfers and Reserves expenditure budgets for FY 2024 – 2025 are based on the proposed requests from the College’s departments in support of the initiatives for the upcoming fiscal year.

### **Auxiliary Fund Revenues:**

- Bookstore Commission and Vending Machine revenues are based on the projected sales commission from vendors.
- Interest revenue is based on trend and the projected market interest rate outlook.
- The Nursing and Allied Health (NAH) Pinning Fees revenue is based on the projected fee revenue from NAH students and the applicable pinning ceremony fees.
- The Carryover Fund Balance allocation is based on the needs of the College's departments.
- The Student Activity Fee revenue is based on a projected enrollment of 16,412 traditional students.
- The Child Care & Development revenue is based on the tuition and fees assessed to students and non-students.
- Self-Supporting Conferences revenue and the Non-Public Fund revenue are based on the projected remaining funds and new fiscal year revenues.

### **Auxiliary Fund Expenditures:**

- The FY 2024 – 2025 expenditure budgets are proposed to adjust as necessary according to their funding source, the needs of the College's departments, and the salary adjustments related to the Compensation Plan provided by the Texas Association of School Boards (TASB).

### **Restricted Fund Revenues and Expenditures:**

- The FY 2024 – 2025 revenue budgets are based on the estimated state and federal financial aid assistance for students, the on-behalf revenue appropriation, and the state, federal, private and local grants the College will receive.
- The expenditure budgets are proposed to adjust as necessary according to their funding source.

### **Plant Fund Revenues and Expenditures:**

- The Unexpended – Construction Fund is based on new renovation and construction projects termed Capital Improvements Projects (CIPs).
- The Unexpended – Renewals and Replacements Fund is based on capital renewal and replacement construction projects needed at each campus.

- The Unexpended – Retirement of Indebtedness Fund revenue is based on the College’s bond indentures principal, interest, and related costs.

Financial managers have submitted their anticipated expenditure budgets through the budget database for operating, travel, and capital. These expenditures are included in the Proposed Budget for FY 2024 – 2025.

The Preliminary Summary of Unrestricted Projected Revenues and Expenditures for FY 2024 - 2025 with Comparison to the FY 2023 – 2024 Amended Budget (Exhibit 1), and the Preliminary Budget for FY 2024 – 2025 presentation follow in the packet for the Committee’s review and information. In order to balance the unrestricted fund budget, the College will continue to monitor trends, update projections and adjust revenues and expenditures as needed. Copies of the Proposed Draft Budget for FY 2024 – 2025 are included under separate cover.

Additional changes may be required to the budget revenue and expenditure projections, prior to final presentation to the Board based on revised revenue projections.

The Resolution Adopting the Budget for FY 2024 – 2025 will also be presented at the August 27, 2024 Board meeting for approval.

Enclosed Documents - Exhibit 1 and the Presentation was included in the packet for the Committee’s information and review. The Public and Non-Public Budget Booklets were included under separate cover for the Committee’s review and information.

Mary Del Paz, Vice President for Finance and Administrative Services, was present the Preliminary Budget for FY 2024 – 2025 for the Committee’s review and discussion.

Upon a motion Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board approval of the proposed Budget for FY 2024 – 2025.

The motion carried.

### **Review and Recommend Action to Request a Best and Final Offer from the Vendors for Operation of College Bookstore**

Purpose and Justification – Administration requested the Committee recommend Board approval to request a best and final offer from the vendors for the operation of the College Bookstore for a term of five (5) years from November 1, 2024 through October 31, 2029.

The bookstore services will be available for students, faculty, and staff district-wide to purchase books, reference materials, and testing forms related to academic courses.

The College requested proposals for the management of the South Texas College bookstores located at the Pecan, Mid Valley, Nursing and Allied Health, Starr County, and Technology campuses.

Background – A bookstore services contract has been awarded to an outsourced vendor since 1999. The bookstore vendors have been Follett Higher Education Group, Inc., from 1999 to 2004 and Barnes and Noble College Bookseller, LLC. from 2004 to 2024.

Background – The project timeline and information are as follows:

Advertised RFP	May 22, 2024 and May 29, 2024
RFP Responses Due	July 9, 2024
RFP Issued To	Ten (10) Vendors
Responses Received From	Three (3) Vendors. One (1) response was not considered due to incomplete information.
Responses Reviewed By	Facilities Operations and Maintenance, Campus Administrators, College Administrators, Bookstore Committee (Faculty & Staff), and Purchasing Department

A bookstore consultant, Tom Byrne from Campus Bookstore Consulting (CBC), was contracted to assist with the development of the request for proposals solicitation document and to review and analyze the proposals. Mr. Byrne was present to discuss the proposals and answer questions.

Copies of the complete proposals from BibliU, Inc. and Follett Higher Education Group, Inc., including a copy of the consultant’s proposal analysis, were provided to the South Texas College evaluation committee for review. The evaluations were completed by the South Texas College evaluation committee.

The current Barnes and Noble contract has the following financial components:

5-Year Term Commission Percentage	14.5% to \$2.0M 15.5% from \$2.0M to \$3.0M 17% over \$3.0M
Minimum Annual Guarantee	Years 1-5 - \$500,000 Modified as follows: Year 1 - \$400,000; Year 2 - \$325,000; Year 3 - \$300,000; Year 4 - \$300,000; Year 5 - \$300,000
One-Time Unrestricted Donation	\$0
Facility Investment	Up to \$100,000.00
Technology Investment	\$0
Annual Textbook Scholarship	\$15,000.00

Tom Byrne, Bookstore Consultant, Mary Del Paz, Vice President for Finance and Administrative Services, George McCaleb, Director of Operations and Maintenance, and Deyadira Leal, Interim Director of Purchasing, were present at the meeting to address any questions.

Upon a motion by Mr. Danny Guzman and a second by Mr. Paul R. Rodriguez the Committee recommended Board approval to request a best and final offer from the

vendors for the operation of the College Bookstore for a term of five (5) years from November 1, 2024 through October 31, 2029. The best and final offers will be presented at the August 27, 2024, Board of Trustees meeting.

The motion carried.

### **Review and Recommend Acceptance of Internal Audit Report in the Area of Student Organization Funds Handling**

Purpose and Justification – Administration requested the Committee recommend Board acceptance of the Internal Audit Report in the Area of Student Organization Funds Handling after discussion of the procedures, finding, and recommendation conducted by Mr. Khalil Abdullah, Chief Internal Auditor.

Background – 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 *Standards* 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.

The Student Organization Funds Handling audit was included in the FY 2024 Audit Plan and encompassed a review of the Financial Manager's and Student Organization Handbook.

Enclosed Documents – The Internal Audit Report was included in the packet for the Committee's information and review.

Dr. Ricardo J. Solis, President, Matt Hebbard, Vice President for Student Affairs and Enrollment Management, and Khalil Abdullah, Chief Internal Auditor, were present at the Committee meeting to address any questions.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board acceptance of the Internal Audit Report in the Area of Student Organization Funds Handling as presented with the request from Mr. Danny Guzman that the Board be updated of the department's adherence to procedures at the September Committee meeting.

The motion carried.

### **Review and Recommend Acceptance of Internal Auditor's Annual Statement of Organizational Independence**

Purpose & Justification – Administration requested the Committee recommend Board acceptance of the Internal Auditor's Statement of Organizational Independence.

IIA Standard 1110 *Organizational Independence* – The Chief Audit Executive (CAE) must confirm to the board, at least annually, the organizational independence of the internal

audit activity. The CAE must report to a level within the organization that allows the internal audit activity to fulfill its responsibilities. Internal Auditors should be free in both fact and appearance from personal, external, and organizational impairments to independence. Internal auditors are independent when they can carry out their work freely and objectively. Independence permits internal auditors to render the impartial and unbiased judgments essential to the proper conduct of audits. It is achieved through organizational structure and objectivity.

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

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

Enclosed Documents – A signed copy of the ‘Internal Auditor’s Statement of Organizational Independence’; IIA Definition and Mission of Internal Auditing; IIA Code of Ethics; and IIA Principles that Internal Auditors are expected to apply and uphold follows in the packet for the Committee’s information and review.

Presenters - Mr. Khalil Abdullah, Chief Internal Auditor, confirmed the organizational independence of the internal audit activity to the Committee.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board acceptance of the Internal Auditor’s Statement of Organizational Independence as presented.

The motion carried.

## **Review and Recommend Action on Internal Audit Charter**

Purpose and Justification – Administration requested the Committee recommend Board approval of the Internal Audit Charter for the period of September 1, 2024 through August 31, 2025.

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

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

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

Dr. Ricardo J. Solis, President, Mary Del Paz, Vice President for Finance and Administrative Services, and Khalil Abdullah, Chief Internal Auditor, were present at the Committee meeting to address any questions.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board approval of the Internal Audit Charter for the period of September 1, 2024 through August 31, 2025 as presented.

The motion carried.

## **Review and Recommend Action on Proposed Projects for Internal Auditor for FY 2024 – 2025**

Purpose and Justification – Administration requested the Committee recommend Board approval of proposed projects for the Internal Auditor for FY 2024 - 2025. The Audit Charter requires that an annual work plan using appropriate risk-based methodology be submitted to the Board of Trustees for review and approval.

Staff is recommending projects for the Board’s consideration for the Internal Auditor’s review for Fiscal Year 2024 - 2025. The projects listed below are proposed as the assignments for the Internal Auditor.

- FY 2024 - 2025 (Scheduled)
  1. Fraud Survey



2. HR Processes – Hiring & Staffing
3. Business Continuity / Disaster Recovery
4. Environmental Health & Safety
5. Account Reconciliations
6. Fixed Assets
7. Effort Reporting
8. Senate Bill 17

Enclosed Documents - The list of Internal Audits conducted for FY 2015 through FY 2025 was included in the packet for the Committee’s information and review.

Dr. Ricardo J. Solis, President, Mary Del Paz, Vice President for Finance and Administrative Services, and Khalil Abdullah, Chief Internal Auditor, were present at the Committee meeting to address any questions.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended for Board approval of proposed projects for the Internal Auditor for FY 2024 - 2025 as presented.

The motion carried.

### **Review and Recommend Action to Revise Personnel Policy**

Purpose and Justification – Administration recommended Board approval to revise Personnel policy to align with the Texas Association of School Boards (TASB) policy manual.

The revised policy is as follows:

Revised Policy(ies)
A-1. DBB (Local) Employment Requirements and Restrictions - Medical Examinations and Communicable Diseases

Background – The College adopted Policy DBB on August 22, 2023. TASB provides a comprehensive, current, and legally sound policy manual and recommends revisions to Policy DBB and DEC.

The new policy revisions are as follows:

- DBB addresses the application of Senate Bill 1445 to the Medical and Psychological Examination of a Peace Officer.

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

Enclosed Documents – The revised local policy was included in the packet for the Committee’s information and review.

Mary Del Paz, Vice President for Finance and Administrative Services, and Dr. Zachary Suarez, Executive Director of Human Resources and Talent Development, were present at the Committee Meeting to address questions.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman the Committee recommended Board approval to revise Personnel Policy, DBB (Local) Employment Requirements and Restrictions - Medical Examinations and Communicable Diseases, as presented, and which supersedes any previously adopted Board policy.

The motion carried.

### **Adjournment**

There being no further business to discuss, the Finance, Audit, and Human Resources Committee Meeting of the South Texas College Board of Trustees adjourned at 7:41 p.m.

I certify that the foregoing are the true and correct Minutes of the August 12, 2024 Finance, Audit, and Human Resources Committee Meeting of the South Texas College Board of Trustees.

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Mrs. Dalinda Gonzalez-Alcantar, Presiding

**Review and Action as Necessary on Purchases, Renewals, and Interlocal Agreements**

Purpose and Justification – Administration requests the Committee recommend Board approval of the following purchases, renewals, and interlocal agreements at a total cost of \$1,397,827.86.

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

**Purchases and Renewals (Instructional Item)**

**1) Graduation Facility Lease Agreement (Lease/Purchase)**

Lease/Purchase of a graduation facility lease agreement with **Viper Arena, LLC / dba Bert Ogden Arena** (Edinburg, TX), a sole source vendor, for the period beginning at 8:00 a.m. Friday, December 6, 2024, through midnight Saturday, December 7, 2024, at an estimated total amount of \$40,000.00.

Purpose and Justification – The Division of Student Services requests an event license agreement to lease a facility for the December 2024 graduation ceremonies, which will be held on Saturday, December 7, 2024, at 9:00 a.m., 1:00 p.m., and 5:00 p.m.

Funds for this expenditure are budgeted in the Graduation budget for FY 2024 – 2025.

**Purchases and Renewals (Non-Instructional Items)**

**2) Catering Services (Renewal)**

Renew the catering services contracts for the period beginning November 28, 2024 through November 27, 2025, at an estimated total amount of \$90,000.00, which is based on prior year expenditures.

The awarded vendors are as follows:

<b>Vendor (City, State)</b>	<b>Vendor (City, State)</b>
<b>All Affairs and Occasions</b> (Elsa, TX)	<b>Coastal Deli, Inc. /dba Jason’s Deli</b> (Corpus Christi, TX)
<b>Mt. Olive, Inc. /dba Subway #60762</b> (Pharr, TX)	<b>Pappa’s Pizza, Inc.</b> (Alton, TX)
<b>Pizza Properties, Inc. /dba Peter Piper Pizza</b> (El Paso, TX)	<b>Pineapple Ninjaz, LLC</b> (Peñitas, TX)
<b>Rise &amp; Shine Café</b> (McAllen, TX)	<b>Riverwinds, Inc. /dba Subway</b> (Rio Grande City, TX)
<b>Zaycor Management Company</b> (Brownsville, TX)	

Purpose and Justification – Various college departments and instructional programs request catering services to purchase food and beverages for meetings and events such

as student activities, professional development events, and South Texas College-sponsored events attended by students, faculty, staff, and the community.

Background – The Board awarded the contracts as follows:

<b>Term: October 18, 2022 – one year with two (2) one-year annual renewals</b>			
Award	Board Meeting	Original Term	Renewal Term
Original	10/18/22	11/28/22 – 11/27/23	
First Renewal	09/26/23		11/28/23 – 11/27/24
<b>Final Renewal</b>	09/24/24		11/28/24 – 11/27/25

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

Funds for this expenditure are budgeted in the various auxiliary budgets for FY 2024 – 2025 and FY 2025 - 2026, pending Board approval of the budget.

### **3) Chiller Maintenance Agreement and Repair Services (Annual Renewal)**

Renew the chiller maintenance agreement and repair services with **Texas Chiller Systems, LLC** (Corpus Christi, TX/Weslaco, TX), The Interlocal Purchasing System (TIPS) purchasing-cooperative approved vendor, for the period beginning November 21, 2024 through November 20, 2025, at an estimated total annual amount of \$149,584.00.

The service fees are as listed:

Service Fees	Amount
Scheduled Services (Maintenance and Inspections)	59,584.00
Repair Services (Emergency Service Calls)	90,000.00
Total Amount:	\$149,584.00

Purpose and Justification – Facilities Operations and Maintenance requests to renew the chiller maintenance agreement and repair services for the eighteen (18) air-cooled and water-cooled chillers districtwide. The chiller maintenance agreement includes scheduled preventive maintenance inspections and emergency service calls for the districtwide chiller units. The scheduled preventative maintenance consists of (i) quarterly and (ii) annual inspections.

- (i) The quarterly inspections will examine the refrigerant circuit for leaks, electrical connections, operating pressures and temperatures, and perform an oil analysis.
- (ii) The annual inspections will examine the operating controls, inspect the thermal insulation for integrity, clean condenser tubes, and clean the interior of the control panel.

Funds for this expenditure are budgeted in the Facilities Maintenance budget for FY 2024 – 2025 and FY 2025 - 2026, pending Board approval of the budget.

**4) Equipment Rental Services (Renewal)**

Renew the equipment rental services contracts for the period beginning December 1, 2024 through November 30, 2025, at an estimated total amount of \$50,000.00, which is based on prior year expenditures.

The awarded vendors are as follows:

<b>Vendor (City, State)</b>	<b>Vendor (City, State)</b>
<b>Backstage Productions, LLC</b> (McAllen, TX)	<b>Hawk Disposal Services, LLC</b> (McAllen, TX)
<b>Party With Us RGV, LLC</b> (Pharr, TX)	<b>Satori Exhibits, LLC</b> (Pharr, TX)
<b>Texas First Rentals, LLC</b> (San Antonio, TX)	

Purpose and Justification – Student Services – Graduation, Student Activities, and the Office of Public Relations and Marketing rent various types of equipment, tables, chairs, linens, lighting, audio systems, audiovisual equipment, and stages for South Texas College sponsored events at all campuses.

Facilities Operations and Maintenance and the Security Department rent heavy equipment for the repair of lighting and cameras, installation, maintenance, and other projects.

Background – The Board awarded the contracts as follows:

<b>Term: November 28, 2023 – one year with two (2) one-year annual renewals</b>			
<b>Award</b>	<b>Board Meeting</b>	<b>Original Term</b>	<b>Renewal Term</b>
Original	11/28/23	12/01/23 – 11/30/24	
<b>First Renewal</b>	09/24/24		12/01/24 – 11/30/25

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

Funds for this expenditure are budgeted in the various requesting departments’ budget for FY 2024 – 2025 and FY 2025 – 2026, pending Board approval of the budget.

**5) Fire Suppression Systems Service (Renewal)**

Renew the fire suppression systems service contracts for the period beginning November 29, 2024 through November 28, 2025, at an estimated total amount of \$274,845.00, based on prior year expenditures.

The awarded vendors, services, and amounts are as follows:

<b>#</b>	<b>Vendor (City, State)</b>	<b>Service</b>	<b>Amount</b>
1	<b>Strongline Security &amp; Fire</b> (San Juan, TX)	Fire Alarm Panels	20,650.00
2	<b>Strongline Security &amp; Fire</b> (San Juan, TX)	Fire Alarm Repairs	70,000.00
3	<b>1st FP McAllen, LLC</b> (San Antonio, TX)	Kitchen Hoods	8,280.00

#	Vendor (City, State)	Service	Amount
4	1st FP McAllen, LLC (San Antonio, TX)	Kitchen Hoods Repairs	10,000.00
5	1st FP McAllen, LLC (San Antonio, TX)	Fire Sprinkler Inspections	20,975.00
6	1st FP McAllen, LLC (San Antonio, TX)	Fire Sprinkler Repairs	80,000.00
7	1st FP McAllen, LLC (San Antonio, TX)	Clean Agent Fire Suppression System Inspections	17,440.00
8	EI Fire & Safety, Inc. (Mission, TX)	Fire Extinguishers Inspection Rates	17,500.00
9	EI Fire & Safety, Inc. (Mission, TX)	Hydro Test Rates	15,000.00
10	EI Fire & Safety, Inc. (Mission, TX)	Recharge Rates	15,000.00
Total Amount:			\$274,845.00

Purpose and Justification – Facilities Operations and Maintenance requests to renew the fire suppression systems service and repairs for all campuses district-wide. The buildings’ fire suppression systems, such as fire alarms, fire sprinklers, kitchen hoods, and portable fire extinguishers, are inspected and repaired annually.

Background – The Board awarded the contracts as follows:

<b>Term: October 18, 2022 – one year with two (2) one-year annual renewals</b>			
Award	Board Meeting	Original Term	Renewal Term
Original	10/18/22	11/29/22 – 11/28/23	
First Renewal	09/26/23		11/29/23 – 11/28/24
<b>Final Renewal</b>	09/24/24		11/29/24 – 11/28/25

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

Funds for this expenditure are budgeted in the Facilities Maintenance budget for FY 2024 – 2025 and FY 2025 – 2026, pending Board approval of the budget.

**6) In-Store Purchase of Materials and Supplies (Renewal)**

Renew the in-store purchase of materials and supplies contracts for the period beginning November 27, 2024 through November 26, 2025, at an estimated total amount of \$120,000.00, based on prior year expenditures.

The awarded vendors and amounts are as follows:

Vendor (City, State)	Amount
Hobby Lobby Stores (McAllen, TX)	30,000.00
Walmart (Mission, TX)	90,000.00
Total Amount:	\$120,000.00

Purpose and Justification—Various college departments and instructional programs request the in-store purchases of materials, supplies, and miscellaneous items to be used for the Culinary Arts Program, Science Programs’ (Biology and Chemistry) instructional labs, meetings, and events such as student activities, professional development events, and South Texas College-sponsored or hosted events attended by students, faculty, staff, and the community.

Background – The Board awarded the contracts as follows:

<b>Term: October 18, 2022 – one year with two (2) one-year annual renewals</b>			
Award	Board Meeting	Original Term	Renewal Term
Original	10/18/22	11/27/22 – 11/26/23	
First Renewal	09/26/23		11/27/23 – 11/26/24
<b>Final Renewal</b>	09/24/24		11/27/24 – 11/26/25

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

Funds for this expenditure are budgeted in the various requesting departments’ budgets for FY 2024 – 2025 and FY 2025 – 2026, pending Board approval of the budget.

**7) Staff Uniforms and Service Agreement (Purchase/Rental)**

Purchase staff uniforms and service agreement from **Unifirst Holdings, Inc.** (McAllen, TX), a Texas Association of School Boards - Buyboard approved vendor, for the period beginning September 1, 2024, through August 31, 2027, at an estimated annual amount of \$40,000.00 and an estimated total amount of \$120,000.00.

Purpose and Justification—Facilities Operations and Maintenance and Custodial Department are requesting to purchase a services agreement to provide staff uniforms, which includes rental, pickup, delivery, and cleaning services. One hundred fifty (150) Facilities Maintenance and Custodial Department staff will wear uniforms daily for identification through the College District. The service will include weekly pickup of uniforms, delivery of clean uniforms, and repairs as needed.

Funds for this expenditure are budgeted in the Facilities Maintenance and Custodial budgets for FY 2024 – 2025, FY 2025 – 2026, and FY 2026 - 2027, pending Board approval of the budgets.

**8) Vehicle Maintenance and Repair Services – II (Renewal)**

Renew the vehicle maintenance and repair services – II contracts for the period beginning December 1, 2024 through November 30, 2025, at an estimated total amount of \$55,000.00, which is based on prior year expenditures.

The awarded vendors are as follows:

<b>Vendor (City, State)</b>	<b>Vendor (City, State)</b>
<b>Quick Quack Car Wash Holdings, LLC</b> (Rocklin, CA)	<b>McAllen Quick Lube, Inc. /dba RGV Tire Pros /dba Valvoline Express Care</b> (McAllen, TX)

Purpose and Justification—The Department of Public Safety, Central Receiving, Mail Services, Educational Technologies, Information Technology, and Facilities Operations and Maintenance request maintenance and repair services for the college-owned vehicles.

The maintenance and repair services will include vehicle preventative maintenance, general repair work, air conditioning system repairs, towing services, state inspections, roadside assistance, routine oil changes, and vehicle washes. These services will keep South Texas College vehicles in safe working conditions for the staff and faculty to drive throughout the district and extend the longevity of the vehicles.

Background – The Board awarded the contracts as follows:

<b>Term: November 28, 2023 – one year with two (2) one-year annual renewals</b>			
<b>Award</b>	<b>Board Meeting</b>	<b>Original Term</b>	<b>Renewal Term</b>
Original	11/28/23	12/01/23 – 11/30/24	
<b>First Renewal</b>	09/24/24		12/01/24 – 11/30/25

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

Funds for this expenditure are budgeted in the various departments’ budgets for FY 2024 – 2025 and FY 2025 – 2026, pending Board approval of the budget.

**Purchases and Renewals (Technology Items)**

**9) Dual Enrollment Software License Agreement (Annual Renewal)**

Renew the dual enrollment software license agreement with **CourseMaven, Inc./ dba DualEnroll.com**, (Leesburg, VA), a sole source vendor, for the period beginning December 1, 2024 through November 30, 2025, at an estimated total amount of \$67,330.00.

Purpose and Justification – The Dual Credit Program requests to renew the dual enrollment software license agreement for enrollment, registration, and program management. The software provides a seamless process for dual-credit students to apply and register for courses, reducing delays and ensuring successful course enrollment.

Funds for this expenditure are budgeted in the Dual Credit Programs budget for FY 2024 – 2025 and FY 2025 – 2026, pending Board approval of the budget.



### **10) Microsoft Campus License Agreement (Annual Renewal)**

Renew the Microsoft campus license agreement with **SHI Government Solutions, Inc.** (Somerset, NJ), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning November 1, 2024 through October 31, 2025, at an estimated total amount of \$299,973.86.

Purpose and Justification - Information Technology requests a non-perpetual license from Microsoft software, including a one-year price assurance. These non-perpetual licenses include upgrades for currently used software products and ensure all College-owned computers have installed copyright-compliant software. Faculty, staff, and students use these software licenses for instructional and operational purposes.

The Microsoft Campus License agreement includes the following software:

- one hundred (100) Microsoft Windows Server Datacenter Edition Licenses & software assurance,
- fifteen (15) Microsoft Visual Studio Professional with MSDN licenses,
- eight hundred (800) Microsoft Windows Virtual Desktop Access,
- two thousand nine hundred (2,900) Microsoft Office 365 Defender,
- six (6) Microsoft Project Online Premium,
- four hundred (400) Windows Server Standard Licenses & software assurance,
- one hundred (100) Microsoft Windows Remote Desktop Services License and Software assurance,
- forty-two (42) Power BI Pro Subscription license,
- forty-five(45) Power BI Premium USL Edu Subscription,
- two thousand nine hundred (2,900) M365 A5 IP & Govern Edu Subscription,
- two thousand nine hundred (2,900) Microsoft Enterprise Client Access License (CAL) Suite, CAL for Office 365 A3 for faculty and staff, and Office 365 A3 for students,
- fourteen (14) Power Apps Plan Edu Subscription
- ten (10) Microsoft 365 Copilot licenses.

Funds for this expenditure are budgeted in the Information Technology Client Services budget for FY 2024 – 2025 and FY 2025 – 2026, pending Board approval of the budget.

### **11) Media Monitoring Software Agreement (Annual Renewal)**

Renew the media monitoring software agreement with **Meltwater News US, Inc.** (Redwood City, CA), a sole source vendor, for the period beginning October 2, 2024 through October 1, 2028, at an estimated annual amount of \$27,695.00 and an estimated total amount of \$110,780.00.

Purpose and Justification – The Communication and Creative Services department requests the renewal of our media monitoring software, Meltwater. Meltwater provides the communication team with the resources to monitor South Texas College mentions in the media and social media, calculate our Advertising Value Equivalency (AVE), create weekly

newsletters with media mentions (print/broadcast/social) for the President’s Office, Vice Presidents, Deans and Board of Trustees, and review and report on metrics and advanced analytics to measure the success of the department’s internal and external communication efforts.

Funds for this expenditure are budgeted in the Communication and Creative Services budget for FY 2024 - 2025, FY 2025 - 2026, FY 2026 - 2027, and FY 2027 - 2028, pending Board approval of the budgets.

## **Interlocal Agreements**

### **12) Facility Lease Agreement (Lease/Rental)**

Ratification of a facility lease agreement with the **City of McAllen – Quinta Mazatlan** (McAllen, TX) through an interlocal agreement for September 19, 2024, at a total amount of \$315.00.

Purpose and Justification – The Teaching and Learning Center requests a rental facility lease agreement with the City of McAllen to lease their Quinta Mazatlan facility. The lease will provide the Teaching and Learning Center with a venue for the Distinguished Leadership Academy (DLA) Kickoff Session.

Funds for this expenditure are budgeted in the Teaching and Learning Center budget for FY 2024 – 2025.

### **13) Professional Development Services (Purchase)**

Ratification to purchase professional development services through an interlocal agreement with **Austin Community College / DigiTex** (Austin, TX) from September 1, 2024, through August 31, 2025, at an estimated amount of \$20,000.00.

Purpose and Justification—The Digital Learning Department requests the renewal of the interlocal agreement with Austin Community College (ACC) to support two major initiatives. The first initiative is to provide Quality Matters Training to faculty. This training supports the College in its reaccreditation by meeting accreditor standards for quality online education. Secondly, this agreement allows for the submittal of courses for external Quality Matters certification at a reduced rate.

The collaboration between ACC and South Texas College enhances the services provided to both students and faculty while providing a reduced cost for certifications and training.

Funds for this expenditure are budgeted in the Digital Learning for FY 2024 – 2025.

### **Recommendation:**

It is requested that the Committee recommend for Board approval of the purchases, renewals, and interlocal agreements at a total cost of \$1,397,827.86, as listed below:

**Purchases and Renewals (Instructional Item)**

- 1) **Graduation Facility Lease Agreement (Lease/Purchase):** lease/purchase of a graduation facility lease agreement with **Viper Arena, LLC / dba Bert Ogden Arena** (Edinburg, TX), a sole source vendor, for the period beginning at 8:00 a.m. Friday, December 6, 2024, through midnight Saturday, December 7, 2024, at an estimated total amount of \$40,000.00;

**Purchases and Renewals (Non-Instructional Items)**

- 2) **Catering Services (Renewal):** renew the catering services contracts for the period beginning November 28, 2024 through November 27, 2025, at an estimated total amount of \$90,000.00, which is based on prior year expenditures. The awarded vendors are as follows:

Vendor (City, State)	Vendor (City, State)
<b>All Affairs and Occasions</b> (Elsa, TX)	<b>Coastal Deli, Inc. /dba Jason’s Deli</b> (Corpus Christi, TX)
<b>Mt. Olive, Inc. /dba Subway #60762</b> (Pharr, TX)	<b>Pappa’s Pizza, Inc.</b> (Alton, TX)
<b>Pizza Properties, Inc. /dba Peter Piper Pizza</b> (El Paso, TX)	<b>Pineapple Ninjaz, LLC</b> (Peñitas, TX)
<b>Rise &amp; Shine Café</b> (McAllen, TX)	<b>Riverwinds, Inc. /dba Subway</b> (Rio Grande City, TX)
<b>Zaycor Management Company</b> (Brownsville, TX)	

- 3) **Chiller Maintenance Agreement and Repair Services (Annual Renewal):** renew the chiller maintenance agreement and repair services with **Texas Chiller Systems, LLC** (Corpus Christi, TX/Weslaco, TX), The Interlocal Purchasing System (TIPS) purchasing-cooperative approved vendor, for the period beginning November 21, 2024 through November 20, 2025, at an estimated total annual amount of \$149,584.00. The service fees are as listed:

Service Fees	Amount
Scheduled Services (Maintenance and Inspections)	59,584.00
Repair Services (Emergency Service Calls)	90,000.00
Total Amount:	\$149,584.00

- 4) **Equipment Rental Services (Renewal):** renew the equipment rental services contracts for the period beginning December 1, 2024 through November 30, 2025, at an estimated total amount of \$50,000.00, which is based on prior year expenditures. The awarded vendors are as follows:

Vendor (City, State)	Vendor (City, State)
<b>Backstage Productions, LLC</b> (McAllen, TX)	<b>Hawk Disposal Services, LLC</b> (McAllen, TX)
<b>Party With Us RGV, LLC</b> (Pharr, TX)	<b>Satori Exhibits, LLC</b> (Pharr, TX)
<b>Texas First Rentals, LLC</b> (San Antonio, TX)	

- 5) Fire Suppression Systems Service (Renewal):** renew the fire suppression systems service contracts for the period beginning November 29, 2024 through November 28, 2025, at an estimated total amount of \$274,845.00, based on prior year expenditures. The awarded vendors, services, and amounts are as follows:

#	Vendor (City, State)	Service	Amount
1	<b>Strongline Security &amp; Fire</b> (San Juan, TX)	Fire Alarm Panels	20,650.00
2	<b>Strongline Security &amp; Fire</b> (San Juan, TX)	Fire Alarm Repairs	70,000.00
3	<b>1st FP McAllen, LLC</b> (San Antonio, TX)	Kitchen Hoods	8,280.00
4	<b>1st FP McAllen, LLC</b> (San Antonio, TX)	Kitchen Hoods Repairs	10,000.00
5	<b>1st FP McAllen, LLC</b> (San Antonio, TX)	Fire Sprinkler Inspections	20,975.00
6	<b>1st FP McAllen, LLC</b> (San Antonio, TX)	Fire Sprinkler Repairs	80,000.00
7	<b>1st FP McAllen, LLC</b> (San Antonio, TX)	Clean Agent Fire Suppression System Inspections	17,440.00
8	<b>El Fire &amp; Safety, Inc.</b> (Mission, TX)	Fire Extinguishers Inspection Rates	17,500.00
9	<b>El Fire &amp; Safety, Inc.</b> (Mission, TX)	Hydro Test Rates	15,000.00
10	<b>El Fire &amp; Safety, Inc.</b> (Mission, TX)	Recharge Rates	15,000.00
Total Amount:			\$274,845.00

- 6) In-Store Purchase of Materials and Supplies (Renewal):** renew the in-store purchase of materials and supplies contracts for the period beginning November 27, 2024 through November 26, 2025, at an estimated total amount of \$120,000.00, based on prior year expenditures. The awarded vendors and amounts are as follows:

Vendor (City, State)	Amount
<b>Hobby Lobby Stores</b> (McAllen, TX)	30,000.00
<b>Walmart</b> (Mission, TX)	90,000.00
Total Amount:	\$120,000.00

- 7) Staff Uniforms and Service Agreement (Purchase/Rental):** purchase staff uniforms and service agreement from **Unifirst Holdings, Inc.** (McAllen, TX), a Texas Association of School Boards - Buyboard approved vendor, for the period beginning September 1, 2024 through August 31, 2027, at an estimated annual amount of \$40,000.00 and an estimated total amount of \$120,000.00;
- 8) Vehicle Maintenance and Repair Services – II (Renewal):** renew the vehicle maintenance and repair services – II contracts for the period beginning December 1, 2024 through November 30, 2025, at an estimated total amount of \$55,000.00, which is based on prior year expenditures. The awarded vendors are as follows:

Vendor (City, State)	Vendor (City, State)
Quick Quack Car Wash Holdings, LLC (Rocklin, CA)	McAllen Quick Lube, Inc. /dba RGV Tire Pros /dba Valvoline Express Care (McAllen, TX)

**Purchases and Renewals (Technology Items)**

- 9) **Dual Enrollment Software License Agreement (Annual Renewal):** renew the dual enrollment software license agreement with **CourseMaven, Inc./ dba DualEnroll.com**, (Leesburg, VA), a sole source vendor, for the period beginning December 1, 2024 through November 30, 2025, at an estimated total amount of \$67,330.00;
- 10) **Microsoft Campus License Agreement (Annual Renewal):** renew the Microsoft campus license agreement with **SHI Government Solutions, Inc.** (Somerset, NJ), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning November 1, 2024 through October 31, 2025, at an estimated total amount of \$299,973.86;
- 11) **Media Monitoring Software Agreement (Annual Renewal):** renew the media monitoring software agreement with **Meltwater News US, Inc.** (Redwood City, CA), a sole source vendor, for the period beginning October 2, 2024 through October 1, 2028, at an estimated annual amount of \$27,695.00 and an estimated total amount of \$110,780.00;

**Interlocal Agreements**

- 12) **Facility Lease Agreement (Lease/Rental):** ratification of a facility lease agreement with the **City of McAllen – Quinta Mazatlan** (McAllen, TX) through an interlocal agreement for September 19, 2024, at a total amount of \$315.00;
- 13) **Professional Development Services (Purchase):** ratification to purchase professional development services through an interlocal agreement with **Austin Community College / DigiTex** (Austin, TX) from September 1, 2024, through August 31, 2025, at an estimated amount of \$20,000.00.

**SOUTH TEXAS COLLEGE  
1. GRADUATION FACILITY LEASE AGREEMENT**

<b>VENDOR</b>		Viper Arena, LLC / dba Bert Ogden Arena		
<b>ADDRESS</b>		4900 S I-69		
<b>CITY/STATE/ZIP</b>		Edinburg, TX 78539		
<b>PHONE</b>		(956) 562 -7362		
<b>CONTACT</b>		Alejandro Candelaria		
<b>Period: 12/06/2024 - 12/07/2024</b>				
#	Qty	Description	Unit Price	Extension
1	1	<b>Bert Ogden Arena -</b> Graduation Facility Lease Agreement for South Texas College December 2024 Graduation Ceremonies	\$ 40,000.00	\$ 40,000.00
<b>TOTAL AMOUNT</b>			\$	40,000.00



2a

Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501  
t (956) 872-4681  
f (956) 872-4688

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

All Affairs and Occasions  
Galilea Ozuna  
P O Box 2812  
Elsa, TX 78543

Re: RFP 22-23-1017: Catering Services

Dear Galilea Ozuna,

On October 18, 2022, South Texas College awarded a contract to All Affairs and Occasions for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 10%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



2b

Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

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[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Coastal Deli Inc. /dba Jason's Deli  
Robert Becquet  
6000 S Staples Ste 300  
Corpus Christi, TX 78413

Re: RFP 22-23-1017: Catering Services

Dear Robert Becquet,

On October 18, 2022, South Texas College awarded a contract to Coastal Deli Inc. /dba Jason's Deli for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 0%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_





Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

t (956) 872-4681  
f (956) 872-4688

2c

P.O. Box 9701, McAllen, TX 78502-9701  
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September 24, 2024

Mt. Olive Inc. /dba Subway #60762  
Ramon Ponce, Jr.  
2506 S Cage Blvd  
Pharr, TX 78577

Re: RFP 22-23-1017: Catering Services

Dear Ramon Ponce, Jr.,

On October 18, 2022, South Texas College awarded a contract to Mt. Olive Inc. /dba Subway #60762 for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 5%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

t (956) 872-4681  
f (956) 872-4688

2d

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Pappa's Pizza, Inc.  
Yoly Ramon  
301 N Alton Blvd Ste 5  
Alton, TX 78573

Re: RFP 22-23-1017: Catering Services

Dear Yoly Ramon,

On October 18, 2022, South Texas College awarded a contract to Pappa's Pizza, Inc. for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 5% - 10%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



September 24, 2024

Pizza Properties, Inc. /dba Peter Piper Pizza  
Howard Smith  
4445 N Mesa Ste 100  
El Paso, TX 79902

Re: RFP 22-23-1017: Catering Services

Dear Howard Smith,

On October 18, 2022, South Texas College awarded a contract to Pizza Properties, Inc. /dba Peter Piper Pizza for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 5%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



September 24, 2024

Pineapple Ninjaz, LLC.  
Gerardo Leal  
401 S 12st St  
Penitas, TX 78576

Re: RFP 22-23-1017: Catering Services

Dear Gerardo Leal,

On October 18, 2022, South Texas College awarded a contract to Pineapple Ninjaz, LLC. for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 5%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



Purchasing and Distribution Services <sup>2g</sup>  
3201 W. Pecan Blvd., McAllen, TX 78501

t (956) 872-4681  
f (956) 872-4688

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Rise & Shine Café  
Christina Garza  
4001 N 23rd St  
McAllen, TX 78504

Re: RFP 22-23-1017: Catering Services

Dear Christina Garza,

On October 18, 2022, South Texas College awarded a contract to Rise & Shine Café for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 0%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



Purchasing and Distribution Services <sup>2h</sup>  
3201 W. Pecan Blvd., McAllen, TX 78501

t (956) 872-4681  
f (956) 872-4688

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Riverwinds, Inc. /dba Subway  
Rosa Elia Gonzalez  
164 Mimosa St  
Rio Grande City, TX 78582

Re: RFP 22-23-1017: Catering Services

Dear Rosa Elia Gonzalez,

On October 18, 2022, South Texas College awarded a contract to Riverwinds, Inc. /dba Subway for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 12%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



2i  
Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

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September 24, 2024

Zaycor Management Company  
Richard E. Zayas  
950 E Van Buren St  
Brownsville, TX 78520

Re: RFP 22-23-1017: Catering Services

Dear Richard E. Zayas,

On October 18, 2022, South Texas College awarded a contract to Zaycor Management Company for Catering Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 28, 2024, through November 27, 2025, with an escalation of 5%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 27, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_

**SOUTH TEXAS COLLEGE**  
**3. CHILLER MAINTENANCE AGREEMENT AND REPAIR SERVICES**

<b>VENDOR</b>		Texas Chiller Systems, LLC		
<b>ADDRESS</b>		5305 Agnes St		
<b>CITY/STATE/ZIP</b>		Corpus Christi, TX 78405		
<b>LOCAL ADDRESS</b>		502 E Expressway 83 Weslaco, TX		
<b>PHONE</b>		361-693-5020		
<b>CONTACT</b>		Noe Salinas		
<b>Period: 11/21/2024 - 11/20/2025</b>				
#	Qty	Description	Unit Price	Extension
1	1	Chiller Maintenance Agreement Preventative Maintenance (Scheduled Services: Maintenance and Inspections)	\$ 59,584.00	\$ 59,584.00
2	1	Repair Services (Emergency Service Calls)	\$ 90,000.00	\$ 90,000.00
<b>TOTAL AMOUNT</b>			\$	149,584.00





4a

Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501  
t (956) 872-4681  
f (956) 872-4688

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Backstage Productions, LLC  
Maricela Salinas  
711 W Nolana Ste 104D  
McAllen, TX 78504

Re: RFP 23-24-1020: Equipment Rental Services

Dear Maricela Salinas,

On November 28, 2023, South Texas College awarded a contract to Backstage Productions, LLC for Equipment Rental Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's first year is approaching, and we would like to renew for an additional one-year period. The first renewal period will be from December 1, 2024, through November 30, 2025, with an escalation of 6%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 30, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



4b

Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

t (956) 872-4681  
f (956) 872-4688

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Hawk Disposal Services, LLC  
Sandy Melendez  
805 N Ware Rd  
McAllen, TX 78501

Re: RFP 23-24-1020: Equipment Rental Services

Dear Sandy Melendez,

On November 28, 2023, South Texas College awarded a contract to Hawk Disposal Services, LLC for Equipment Rental Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's first year is approaching, and we would like to renew for an additional one-year period. The first renewal period will be from December 1, 2024, through November 30, 2025, with an escalation of 4%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 30, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



September 24, 2024

Party With Us RGV, LLC  
Saul Dominguez  
3600 N Birch St  
Pharr, TX 78577

Re: RFP 23-24-1020: Equipment Rental Services

Dear Saul Dominguez,

On November 28, 2023, South Texas College awarded a contract to Party With Us RGV, LLC for Equipment Rental Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's first year is approaching, and we would like to renew for an additional one-year period. The first renewal period will be from December 1, 2024, through November 30, 2025, with an escalation of 0%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 30, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



September 24, 2024

Satori Exhibits, LLC  
Ana Cristina Tobias  
1200 W Polk Ave Ste B  
Pharr, TX 78577

Re: RFP 23-24-1020: Equipment Rental Services

Dear Ana Cristina Tobias,

On November 28, 2023, South Texas College awarded a contract to Satori Exhibits, LLC for Equipment Rental Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's first year is approaching, and we would like to renew for an additional one-year period. The first renewal period will be from December 1, 2024, through November 30, 2025, with an escalation of 10%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 30, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

t (956) 872-4681  
f (956) 872-4688

4e

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Texas First Rentals, LLC  
Michael Puryear  
5665 SE Loop 410  
San Antonio, TX 78222

Re: RFP 23-24-1020: Equipment Rental Services

Dear Michael Puryear,

On November 28, 2023, South Texas College awarded a contract to Texas First Rentals, LLC for Equipment Rental Services. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's first year is approaching, and we would like to renew for an additional one-year period. The first renewal period will be from December 1, 2024, through November 30, 2025, with an escalation of 0%.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 30, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

5a

t (956) 872-4681  
f (956) 872-4688

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Strongline Security & Fire  
Luis A. Grimaldo, Owner  
3701 Jesenia St.  
San Juan, TX 78589

Re: RFP 22-23-1019: Fire Suppression Systems Service

Dear Luis A. Grimaldo,

On October 18, 2022, South Texas College awarded a contract to Strongline Security & Fire for Fire Suppression Systems Service. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 29, 2024, through November 28, 2025, for the following services:

- Fire Alarm Panels
- Fire Alarm Repairs

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 28, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

5b

t (956) 872-4681  
f (956) 872-4688

P.O. Box 9701, McAllen, TX 78502-9701  
www.SouthTexasCollege.edu

September 24, 2024

1<sup>st</sup> FP McAllen, LLC  
Pete Desmond, Vice President  
11550 N North Loop Rd  
San Antonio, TX 78216

Re: RFP 22-23-1019: Fire Suppression Systems Service

Dear Pete Desmond,

On October 18, 2022, South Texas College awarded a contract to 1st FP McAllen, LLC for Fire Suppression Systems Service. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 29, 2024, through November 28, 2025, for the following services:

- Kitchen Hoods
- Kitchen Hoods Repairs
- Fire Sprinkler Inspections
- Fire Sprinkler Repairs
- Clean Agent Fire Suppression System Inspections

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 28, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



September 24, 2024

El Fire & Safety, Inc.  
Fernando Rodriguez, CEO  
3505 San Eugenio  
Mission, TX 78572

Re: RFP 22-23-1019: Fire Suppression Systems Service

Dear Fernando Rodriguez,

On October 18, 2022, South Texas College awarded a contract to El Fire & Safety, Inc. for Fire Suppression Systems Service. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 29, 2024, through November 28, 2025, for the following services:

- Fire Extinguishers Inspection Rates
- Hydro Tests Rates
- Recharge Rates

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 28, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_





Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

t (956) 872-4681  
f (956) 872-4688

6a

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

Hobby Lobby Stores  
Dave Sobecki  
3300 N Expway 83  
McAllen, TX 78501

Re: RFP 22-23-1020: In-Store Purchase of Materials and Supplies

Dear Dave Sobecki,

On October 18, 2022, South Texas College awarded a contract to Hobby Lobby Stores for In-Store Purchase of Materials and Supplies. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 27, 2024, through November 26, 2025.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 26, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



September 24, 2024

Walmart  
Luis Lozano  
2410 E Exp 83  
Mission, TX 78572

Re: RFP 22-23-1020: In-Store Purchase of Materials and Supplies

Dear Luis Lozano,

On October 18, 2022, South Texas College awarded a contract to Walmart for In-Store Purchase of Materials and Supplies. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's second year is approaching, and we would like to renew for the remaining one-year period. The final renewal period will be from November 27, 2024, through November 26, 2025.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 26, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_

**SOUTH TEXAS COLLEGE**  
**7. STAFF UNIFORMS AND SERVICE AGREEMENT**

<b>VENDOR</b>		Unifirst Holdings, Inc.		
<b>ADDRESS</b>		515 E Beech Ave		
<b>CITY/STATE/ZIP</b>		McAllen, TX 78501		
<b>PHONE</b>		956-686-0218		
<b>CONTACT</b>		Teresa Jensen		
<b>Period: 09/01/2024 - 08/31/2027</b>				
#	Qty	Description	Unit Price	Extension
1	3	Staff Uniforms and Service Agreement- Rental of Staff Uniforms Includes: Rental, Pickup, Delivery, Cleaning Services, and Repairs (3-Year Contract)	\$ 40,000.00	\$ 120,000.00
<b>TOTAL AMOUNT</b>			\$	120,000.00



September 24, 2024

Quick Quack Car Wash Holdings, LLC  
Cindy Schlesener  
6020 W Oaks Blvd Ste 300  
Rocklin, CA 95765

Re: RFP 23-24-1019: Vehicle Maintenance and Repair Services II

Dear Cindy Schlesener,

On November 28, 2023, South Texas College awarded a contract to Quick Quack Car Wash Holdings, LLC for Vehicle Maintenance and Repair Services II. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's first year is approaching, and we would like to renew for an additional one-year period. The first renewal period will be from December 1, 2024, through November 30, 2025, with a -% escalation.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 30, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_



8b  
Purchasing and Distribution Services  
3201 W. Pecan Blvd., McAllen, TX 78501

t (956) 872-4681  
f (956) 872-4688

P.O. Box 9701, McAllen, TX 78502-9701  
[www.SouthTexasCollege.edu](http://www.SouthTexasCollege.edu)

September 24, 2024

McAllen Quick Lube, Inc. /dba RGV Tire Pros /dba Valvoline Express Care  
Daniel Ramirez  
2408 Pecan Blvd  
McAllen, TX 78501

Re: RFP 23-24-1019: Vehicle Maintenance and Repair Services II

Dear Daniel Ramirez,

On November 28, 2023, South Texas College awarded a contract to McAllen Quick Lube, Inc. /dba RGV Tire Pros /dba Valvoline Express Care for Vehicle Maintenance and Repair Services II. The award allowed for two (2) one-year renewal options on the contract if the terms and conditions remained the same. The end of the contract's first year is approaching, and we would like to renew for an additional one-year period. The first renewal period will be from December 1, 2024, through November 30, 2025, with a 5% escalation.

We request that you respond to us in writing if this would be acceptable to your company. For your convenience, we are providing a place for your signature approval at the bottom of the letter. If in acceptance of this extension, you may sign where indicated. The letter may be returned via fax at (956) 872-4688 or email to Deyadira Leal at [daleal@southtexascollege.edu](mailto:daleal@southtexascollege.edu).

Sincerely,

Deyadira Leal  
Director of Purchasing

Renewal of contract accepted through November 30, 2025, with no change in terms and conditions as per the South Texas College proposal previously submitted.

Authorized Signature: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_

**SOUTH TEXAS COLLEGE**  
**9. DUAL ENROLLMENT SOFTWARE LICENSE AGREEMENT**

<b>VENDOR</b>		CourseMaven, Inc. /dba DualEnroll.com		
<b>ADDRESS</b>		43498 Butler Place		
<b>CITY/STATE/ZIP</b>		Leesburg, VA 20176		
<b>PHONE</b>		703-884-9131		
<b>CONTACT</b>		Janet Van Pelt		
<b>Period: 12/01/2024 - 11/30/2025</b>				
<b>#</b>	<b>Qty</b>	<b>Description</b>	<b>Unit Price</b>	<b>Extension</b>
1	1	Dual Enrollment Software License Agreement	\$ 67,330.00	\$ 67,330.00
<b>TOTAL AMOUNT</b>			\$	67,330.00

**SOUTH TEXAS COLLEGE  
10. MICROSOFT CAMPUS LICENSE AGREEMENT**

<b>VENDOR</b>		SHI Government Solutions, Inc.		
<b>ADDRESS</b>		290 Davidson Ave		
<b>CITY/STATE/ZIP</b>		Somerset, NJ 08873		
<b>PHONE</b>		800-527-6389		
<b>CONTACT</b>		Tysir Nixon		
<b>Period: 11/01/2024 - 10/31/2025</b>				
#	Qty	Description	Unit Price	Extension
1	100	Win Server DC Core ALng LSA 2L Microsoft - Part#: 9EA-00039	\$ 37.69	\$ 3,769.00
2	15	Visual Studio Pro MSDN ALng LSA Microsoft - Part#: 77D-00110	\$ 53.57	\$ 803.55
3	800	Win VDA Device ALng Sub Per Device Microsoft - Part#: 4ZF-00019	\$ 31.15	\$ 24,920.00
4	2900	Defender O365 P1 Edu Sub Per User Microsoft - Part#: W76-00001	\$ 15.39	\$ 44,631.00
5	116000	Defender O365 P1 Edu Sub Per User Student Benefit Microsoft - Part#: W76-00002	\$ -	\$ -
6	6	Project P5 Edu Sub Per User Microsoft - Part#: 7TR-00001	\$ 113.32	\$ 679.92
7	400	Win Server Standard Core ALng LSA 2L Microsoft - Part#: 9EM-00562	\$ 5.94	\$ 2,376.00
8	100	Win Remote Desktop Services CAL ALng LSA DCAL Microsoft - Part#: 6VC-01251	\$ 8.97	\$ 897.00
9	42	Power BI Pro Edu Sub Per User Microsoft - Part#: NK5-00001	\$ 23.15	\$ 972.30
10	45	Power BI Premium USL Edu a Sub Per User Microsoft - Part#: B1B-00007	\$ 49.57	\$ 2,230.65
11	2900	M365 A5 IP & Govern Edu Sub Per User Microsoft - Part#: 1CD-00001	\$ 20.12	\$ 58,348.00
12	2900	M365 A3 Unified Edu Sub Per User Microsoft - Part#: AAD-38391	\$ 53.57	\$ 155,353.00
13	116000	M365 A3 Unified Edu Sub Student Use Benefit Per User Microsoft - Part#: AAD-38397	\$ -	\$ -
14	14	Power Apps Plan Edu Sub Per User Microsoft - Part#: SEK-00001	\$ 96.96	\$ 1,357.44
15	10	M365 Copilot Edu Sub Add-on Microsoft - Part#: EP2-00538	\$ 363.60	\$ 3,636.00
<b>TOTAL AMOUNT</b>			\$	299,973.86

**SOUTH TEXAS COLLEGE**  
**11. MEDIA MONITORING SOFTWARE AGREEMENT**

<b>VENDOR</b>		Meltwater News US, Inc.		
<b>ADDRESS</b>		555 Twin Dolphin Dr Ste 165		
<b>CITY/STATE/ZIP</b>		Redwood City, CA 94065		
<b>PHONE</b>		720-316-0835		
<b>CONTACT</b>		Ethan Bradeen		
<b>Period: 10/2/2024 - 10/1/2028</b>				
<b>#</b>	<b>Qty</b>	<b>Description</b>	<b>Unit Price</b>	<b>Extension</b>
1	4	Media Monitoring Software Agreement (4-Year Contract)	\$ 27,695.00	\$ 110,780.00
<b>TOTAL AMOUNT</b>			\$	110,780.00



**SOUTH TEXAS COLLEGE  
12. FACILITY LEASE AGREEMENT**

<b>VENDOR</b>			City of McAllen (Quinta Mazatlan)	
<b>ADDRESS</b>			600 Sunset Dr	
<b>CITY/STATE/ZIP</b>			McAllen, TX 78503	
<b>PHONE</b>			956-681-3370	
<b>CONTACT</b>			Victoria Gomez	
<b>#</b>	<b>Qty</b>	<b>Description</b>	<b>Unit Price</b>	<b>Extension</b>
1	1	<b>Quinta Mazatlan</b> Distinguished Leadership Academy (DLA) Kickoff Session Event Date: 09/19/2024	\$ 315.00	\$ 315.00
<b>TOTAL AMOUNT</b>			\$	315.00

**SOUTH TEXAS COLLEGE**  
**13. PROFESSIONAL DEVELOPMENT SERVICES**

<b>VENDOR</b>		Austin Community College / DigTex		
<b>ADDRESS</b>		6101 Campus Dr. Building 3000		
<b>CITY/STATE/ZIP</b>		Austin, TX 78752		
<b>PHONE</b>		512-223-1371		
<b>CONTACT</b>		Hailey Bickley		
<b>Period: 09/01/2024 - 08/31/2025</b>				
<b>#</b>	<b>Qty</b>	<b>Description</b>	<b>Unit Price</b>	<b>Extension</b>
1	1	Professional Development Services	\$ 20,000.00	\$ 20,000.00
<b>TOTAL AMOUNT</b>			\$	20,000.00

## **Discussion and Action as Necessary on Legal Services**

Purpose and Justification – Administration requests the Committee recommend Board approval on legal services with O'Hanlon, Demerath & Castillo Law Firm to provide advice and representation until terminated by either party by providing thirty (30) days advance written notice to the other party.

On June 25, 2024, the Board of Trustees were advised by the College President on the selection and approval of legal services with O'Hanlon, Demerath & Castillo Law Firm. The hourly rate for an initial term of six (6) months is \$250.

Background - Under Policy BCC – Board Internal Organization – Attorney,

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

Legal services allow the College to manage legal risk, identify legal issues, and develop plans and programs to manage and address legal problems that may arise. The scope and volume of required legal work has increased alongside the College's growth and increased accountability from state and federal agencies.

The appointment of one or more law firms is essential for matters including, but not limited to, the following:

### Law Office of Javier Villalobos, P.C.

- Attending Board and Committee meetings and advising Board members, Committee members, and Administration, as appropriate and required.
- Providing legal counsel and guidance to the Board of Trustees and administrative staff on such matters as:
  - ⇒ Elections
  - ⇒ Tax Abatement Agreements
  - ⇒ Real Estate (or outsource, separate contract if necessary)
  - ⇒ Land Use, Environmental, Health, and Safety
- Additional legal services as requested and authorized by the President.

### O'Hanlon, Demerath & Castillo Law Firm

- Providing legal counsel and guidance to the Board of Trustees and administrative staff on such matters as:
  - ⇒ Employment law (Title IX federal regulations, review of practices regarding federal laws on discrimination, retaliation, equal opportunity, veterans employment preference, human resources development)
  - ⇒ Personnel matters

- ⇒ Drafting, Advising, Reviewing, and Updating of Personnel and Non-Personnel Policies
- ⇒ Procurement procedures and contracts (interpretation of procurement law and review of certain contracts, development of a standardized contract form for most services the College solicits to be included as part of the RPF or RPQ document) and contract compliance
- ⇒ Texas Open Meetings Act
- ⇒ Texas Public Information Act
- ⇒ Public Information Request Responses
- ⇒ Construction contracts
- ⇒ IRS examinations
- ⇒ Intellectual Property
- ⇒ State and International Matters and Engagements
- ⇒ Litigation representation (or outsource, separate contract if necessary)
- ⇒ General higher education matters including, but not limited to, tort and civil liabilities
- Additional legal counsel services and advising as requested and authorized by the President.
- If needed for a specific item, attend Board and Committee meetings and advise Board members, Committee members, and Administration, as appropriate and required.

Litigation services, if needed, may require a separate agreement with an outsourced attorney.

The work will be assigned as indicated above, however, on occasions, the work will be based on subject, availability, time sensitivity/urgency, and/or area of expertise, as approved by the College President.

As of September 10, 2024, the legal services and hourly rates are as follows:

- At the June 8, 2021 Board Meeting, the Board approved for Mr. Villalobos, from the Law Office of Javier Villalobos, P.C., to provide legal services to the College and representation for all other non-personnel matters and that his services would be paid at \$200 per hourly rate.
- At the June 25, 2024 Board Meeting, the Board was informed of the contract with the O'Hanlon, Demerath, & Castillo Law Firm to handle all types of legal issues that may arise and that their services would be paid at \$250 per hourly rate.

At the August 27, 2024 Board Meeting, the Board approved the termination of Mr. Jose Guerrero's agreement, who was handling personnel matters.

Reviewers – These services have been reviewed by the President and the Vice President for Finance and Administrative Services.

Enclosed Documents – Policy BCC and the Agreement follow in the packet for the Committee's information and review.

Dr. Ricardo J. Solis, President, and Mary Del Paz, Vice President for Finance and Administrative Services, will be present at the Committee meeting to address any questions.

It is requested that the Committee recommend Board approval on legal services with O'Hanlon, Demerath & Castillo Law Firm to provide advice and representation until terminated by either party by providing thirty (30) days advance written notice to the other party as presented.

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

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

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

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

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

# O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

426 W. CAFFERY AVE  
PHARR, TX 78577  
PHONE: (956) 318-0555  
FAX: (956) 318-1955

BENJAMIN CASTILLO

[bcastillo@808west.com](mailto:bcastillo@808west.com)

**Austin Office**  
808 West Ave.  
Austin, Texas 78701

**San Antonio Office**  
117 W. Craig Place  
San Antonio, Texas 78212

**Fort Worth Office**  
209 W. 8<sup>th</sup> Street  
Fort Worth, Texas 76102

August 5, 2024

## **VIA EMAIL DELIVERY**

Dr. Ricardo J. Solis  
President  
South Texas College  
3201 W. Pecan Blvd.  
McAllen, TX 78501

### **RE: Legal Representation Agreement**

Dr. Solis,

The purpose of this letter is to confirm the terms and conditions under which our firm has been engaged to provide legal services to South Texas College.

In order to enable us effectively to render these services, you have agreed to disclose fully and accurately all facts and keep us apprised of all developments relating to legal matters. Since the outcome of litigation or other legal matters is subject to the vagaries and risks inherent in the litigation or legal process, it is understood that we have made no promises or guarantees to you concerning any outcomes as a result of our representation. The law provides simply that we cannot. Nothing in this letter shall be construed as such a promise or guarantee.

1. Firm's Personnel: Kevin O'Hanlon, Benjamin Castillo, and Eden Ramirez will have primary responsibility for your representation. Other attorneys and legal assistants in our office may also be used in the course of our representation. The use of such personnel will be

based on the nature of the work to be performed and the qualifications, skills, and specialized expertise needed to perform a particular aspect of a specific engagement. We will assist you in a professional manner and to the best of our abilities.

2. Fee Schedule: Our agreement is to charge an hourly fee for services rendered based upon the time spent by each attorney and legal assistant working on the case. Our agreed hourly rates for personnel assigned to the College are \$250.00 per hour for work performed by Firm Attorneys, and \$90.00 per hour for work performed by Firm Paralegals. Time will be billed in 1/10<sup>th</sup> hour increments unless the College requests otherwise. We will be happy to discuss our billings with you at any time if you have any questions or concerns.

3. Expenses: In addition to our fees, we will be entitled to payment or reimbursement of all costs and expenses incurred in performing services in this engagement, including but not limited to filing fees, deposition charges, postage, delivery services, external copy or scanning services, binding expenses, and travel expenses. Attorney Travel time will be billed at half the hourly rate assigned to the attorney. We will not bill the College for travel from the Rio Grande Valley Office to any College facilities but will bill for travel needed on behalf of the College to third party locations. We do not charge for routine postage, facsimile transmissions, or telephone charges.

4. Billing Schedule: Our statements for services and expenses relating to this engagement will be issued on a monthly basis.

5. Term of Agreement: This agreement shall be in effect until terminated by either party. Either party may terminate this Agreement by giving thirty (30) days' advanced written notice to the other party.



6. Termination: **You will have the right to terminate our representation at any time.** In the event of any such termination, we will cooperate in all steps necessary to free us of any obligations to perform further, including the execution of any documents reasonably necessary to complete our withdrawal. The College will be responsible for our fees and expenses incurred to the date of termination under the terms of this agreement. This contract is subject to termination with a **thirty-day notice by the College.**

7. Conflict Issues: We have reviewed the documents regarding any pending District matter presented thus far for our consideration. We have not detected any conflict between our firm and your interests. Further, we do not anticipate any conflict to arise in the future

8. Miscellaneous: This letter agreement is governed by the laws of the State of Texas and is binding upon and inures to the benefit of both you and these firms and our respective heirs, legal representatives, successors, and assigns. This letter agreement constitutes the entire agreement between us with respect to matters involving the engagement of our firms and the payment of fees in connection with this engagement.

Please review the foregoing and, if it meets with your approval, sign a copy of this letter and return it to our office at your earliest convenience. We look forward to serving you, and we shall use our best efforts on your behalf.

Sincerely,

---

Benjamin Castillo  
O'HANLON, DEMERATH & CASTILLO

AGREED TO:

August 5, 2024

Page 4

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Dr. Ricardo J. Solis  
President  
South Texas College

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Benjamin Castillo  
Shareholder  
O'Hanlon, Demerath & Castillo

## **Discussion and Action as Necessary on Resolution #2025-002 for Use of Unrestricted Fund Balance for Student Tuition Scholarships**

Purpose and Justification – Administration requests the Committee recommend Board approval on Resolution #2025-002 for the use of Unrestricted Fund Balance for student tuition scholarships to support two (2) critical key initiatives at a grand total of \$306,500 for FY 2024 - 2025.

The three (3) critical key initiatives for FY 2024 - 2025 and FY 2025 - 2026 are as follows:

1. South Texas College Valley Promise Scholarship - \$406,500 (FY 25 - \$156,500, and FY 26 - \$250,000)
2. South Texas College Adult Promise Scholarship - \$265,957 (FY 26 - \$265,957)
3. South Texas College Relgnite Scholarship - \$150,000 (FY 25 - \$150,000)

The total proposed allocation is \$822,457, \$306,500 for FY 2025, and \$515,957 for FY 2026.

Background - In a written legal opinion from O'Hanlon, Demerath & Castillo, South Texas College, through its Board of Trustees, may institute a program which utilizes local revenues (including tuition, fees, and property tax revenue) for student scholarship awards. This should be done in conjunction with the adoption of a resolution which recites the public purpose to be achieved. A scholarship program using public funds, to be compliant with the Texas Constitution, must (1) ensure the expenditure is to accomplish a public purpose of the College, not to solely benefit private parties; (2) retain sufficient control over the public funds to ensure the public purpose is accomplished; and (3) ensures the College receives a return benefit.

The three (3) critical key initiatives are needed as follows:

### **1. South Texas College Valley Promise Initiative -**

South Texas College requests \$156,500 in matching funds for Rio South Texas Education Foundation's (RSTEF) contribution to the STC Foundation of the \$250,000 grant award for the FY 2024 - 2025. Initially, the application to RSTEF indicated that the matching funds would come from Economic Mobility Systems (EMS); however, EMS has since clarified that their funds cannot be utilized for student scholarships.

South Texas College is requesting \$250,000 for FY 2025 - 2026 to continue providing student school and leverage grant funding opportunities from our philanthropic partners.

To ensure the success of the South Texas College Valley Promise initiative, it is recommended that we allocate a minimum of \$406,500 from institutional funds to meet the matching requirements and support the initiative's objectives.

## **2. South Texas College Adult Promise Initiative –**

The South Texas College Adult Promise initiative focuses on providing scholarships to returning students (stop-outs) to encourage them to complete their education. The FY 2025 - 2026 proposal submitted to RSTEF includes a commitment from STC to match their \$165,957 contribution toward these scholarships.

It is recommended that institutional funds be allocated to match RSTEF's contribution, with an allocation of \$165,957 and an additional \$100,000 for a total of \$265,957 to support the South Texas College Adult Promise initiative and assist returning students in completing their degrees.

## **3. South Texas College Relignite Scholarship –**

For returning students who are wanting to register to continue their higher education and are facing a significant barrier to their re-enrollment due to prior debt.

It is recommended that institutional funds in the amount of \$150,000 for FY 2024 - 2025 to support returning students in overcoming this type of financial barrier.

The total proposed allocation is \$822,457, \$306,500 for FY 2025, and \$515,957 for FY 2026, from the Unrestricted Fund Balance is necessary to support these critical initiatives. These funds will ensure that South Texas College continues to provide opportunities for our students, particularly those returning to complete their education, and uphold our commitment to educational excellence and student success.

Approval of this request will enable us to meet matching fund requirements, offer scholarships, and provide financial relief to students, aligning with our strategic goals and mission.

To ensure that the proposed scholarship program using public funds adheres to the Texas Constitution, South Texas College (STC) has structured the program in a manner that fulfills the three critical requirements: accomplishing a public purpose of the College, retaining sufficient control over the public funds, and ensuring the College receives a return benefit.

### **1. Accomplishing a Public Purpose:**

The primary objective of this scholarship program is to directly support student success and reengagement, which aligns with South Texas College's mission to provide accessible, affordable, and high-quality education. The funds will be allocated exclusively to provide financial support to students, thereby assisting them in completing their educational goals. This expenditure is fundamentally aimed at advancing the public purpose of the College by enhancing educational attainment and contributing to the development of a skilled workforce. The benefits derived from this program are not for the sole advantage of private parties but are intended to serve the broader public interest by increasing the number of graduates and reducing barriers to education.

**2. Retention of Sufficient Control Over Public Funds:**

To ensure the public purpose is accomplished, the South Texas College Foundation Board, alongside dedicated Foundation staff, will provide rigorous oversight of the scholarship funds. The Foundation has a full-time accountant who will collaborate directly with the College's Finance staff to maintain stringent accounting standards and compliance with all procedural requirements. This oversight mechanism ensures that the allocation and use of public funds are carefully monitored and managed, thereby safeguarding the integrity and intended purpose of the scholarship program. By retaining control over these funds, STC can guarantee that they are utilized effectively to achieve the desired public outcomes.

**3. Ensuring the College Receives a Return Benefit:**

The scholarship program is designed to generate significant return benefits for South Texas College. By facilitating student success and reengagement, the program is expected to increase student retention and graduation rates. This, in turn, enhances the College's reputation and standing within the community and beyond. Moreover, by investing in student success, the College is contributing to the creation of a well-educated and capable workforce, which aligns with its broader educational mission and public service goals. The program also fosters stronger community ties and reinforces STC's role as a pivotal institution in the region, thereby yielding long-term benefits that extend beyond the immediate financial investment.

Reviewers – These allocations have been reviewed by the President, the Vice President for Institutional Advancement & External Affairs, the Vice President for Student Affairs and Enrollment Management, the Vice President for Finance and Administrative Services, and Mr. Mark Goulet, from O'Hanlon, Demerath & Castillo Law Firm.

Enclosed Documents – The Resolution and the letter from legal counsel follow in the packet for the Committee's information and review.

Dr. Ricardo J. Solis, President, Dr. Rodney Rodriguez, Vice President for Institutional Advancement & External Affairs, Matt Hebbard, Vice President for Student Affairs and Enrollment Management, and Mary Del Paz, Vice President for Finance and Administrative Services, will be present at the Committee meeting to address any questions.

It is requested that the Committee recommend Board approval on Resolution #2025-002 for the use of Unrestricted Fund Balance for student tuition scholarships to support three (3) critical key initiatives at a grand total of \$306,500 for FY 2024 - 2025, as presented.

**BOARD OF TRUSTEES FOR SOUTH TEXAS COLLEGE  
RESOLUTION #2025-002 REGARDING USE OF FUNDS  
FOR STUDENT TUITION SCHOLARSHIPS**

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

On this the \_\_\_\_ day of September 2024, 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 of South Texas College recognizes the critical importance of providing accessible and affordable higher education to its students; and

***WHEREAS***, the Board of Trustees understands that financial challenges can hinder students' ability to pursue and achieve their academic goals; and;

***WHEREAS***, student tuition scholarships can play a vital role in supporting students' educational endeavors and enabling them to achieve their full potential; and

***WHEREAS***, the Board of Trustees of the South Texas College is committed to responsible and transparent management of district funds and is dedicated to ensuring that all expenditures ensure a public purpose; 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

***WHEREAS***, the Board of Trustees desires to ensure that funds allocated for student scholarships are used for a clearly defined public purpose.

***NOW, THEREFORE, BE IT RESOLVED*** that the Board of Trustees of South Texas College hereby authorizes and approves the following:

1. The Board finds that an expenditure by South Texas College in funding the Valley Promise Scholarship initiative, the Adult Promise Scholarship initiative, and the ReIgnite Scholarship initiative is calculated to accomplish a public purpose, to wit:
  - a. Increasing access to higher education for qualified students;
  - b. Promoting student success, retention and reengagement;

- c. Cultivating a skilled workforce within the community;
  - d. Maximizing access to matching scholarship funds;
  - e. Encouraging economic development and growth;
  - f. Contributing to the overall well-being of the community.
2. The Board of Trustees directs that clear and transparent eligibility criteria for student scholarships be established, ensuring that funds are awarded to students who demonstrate financial need, academic merit, and a commitment to their educational pursuits.
3. The Board of Trustees authorizes staff to implement procedures for the timely and efficient disbursement of scholarship funds, ensuring that they are used directly to support students' tuition expenses.
4. The Board of Trustees shall require regular reporting on the use of scholarship funds, including the number of recipients, the amount of awards, and the impact of scholarships on student success.
5. The Board of Trustees declares that the primary objective of these scholarship initiatives are to directly support student success and reengagement, which aligns with South Texas College's mission to provide accessible, affordable, and high-quality education. The Board further declares that the Valley Promise Scholarship initiative, the Adult Promise Scholarship initiative, and the ReIgnite Scholarship initiative serve the broader public interest by increasing the number of graduates and reducing barriers to education.
6. The Board of Trustees of South Texas College directs that the South Texas College Foundation Board, alongside dedicated Foundation staff, conduct rigorous oversight of the scholarship funds. The Foundation shall employ a full-time accountant who will collaborate directly with the College's Finance staff to maintain accounting standards and compliance with all procedural requirements.
7. The scholarship initiatives are designed to generate significant return benefits for South Texas College. By facilitating student success and reengagement, the program is expected to increase student retention and graduation rates. By enhancing educational attainment and contributing to the development of a skilled workforce, the broader community and state will benefit. This will further enhance the College's reputation and standing within the community and beyond. 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.
8. 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 benefit related to this expenditure.
9. The Board hereby authorizes the funding of the Valley Promise Scholarship, the Adult Promise Scholarship, ReIgnite Scholarship initiatives for 2024-2025 as presented.
10. 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 September 2024.

South Texas College

By: \_\_\_\_\_

Dr. Alejo Salinas, Jr.  
Chair  
Board of Trustees

ATTEST:

By: \_\_\_\_\_

Danny Guzman  
Secretary  
Board of Trustees



# O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

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August 2, 2024

## **Confidential – Attorney-Client Communication**

### ***Via Email***

Dr. Ricardo J. Solis  
President  
South Texas College  
3201 W. Pecan Blvd.  
McAllen, TX 78501

**Re: Using Local Non-Appropriations Revenues for Student Tuition Scholarship Awards**

Dear Dr. Solis:

This letter is in response to your request for an opinion regarding South Texas College's ability to utilize local revenues (including tuition, fees, and property tax revenue) for student scholarship awards.

We have reviewed relevant legal authority, including the Texas Education Code, Title 19 of the Texas Administrative Code, and relevant opinions of Texas courts and the Texas Attorney General. We find that, subject to the limitations and controls stated herein, South Texas College may utilize local revenues and other funds not appropriated under Texas Education Code §130.003 to fund student tuition scholarship awards.

### **Authority of College Governing Boards under Texas Education Code, Chapter 130**

Pursuant to under Texas Education Code §130.002, "[a]ll authority not vested by this chapter or by other laws of the state in the coordinating board or in the Central Education Agency is reserved and retained locally in each of the respective public junior college districts or

in the governing boards of such junior colleges as provided in the laws applicable.” This provision of the law grants STC’s Board of Trustees broad discretion to govern and operate STC, and affirms that the Board’s legal authority extends to those areas not reserved to the Coordinating Board or the Texas Education Agency. Texas Education Code §130.003(a) requires that the Texas Legislature appropriate funds in each regular session “. . . an amount sufficient to supplement local funds for the proper support, maintenance, operation, and improvement of those public junior colleges of Texas that meet the standards prescribed by this chapter.” These funds are restricted as to their use. Funds appropriated under §130.003(a) must be used for salaries, instructional supplies and materials and certain audits. Texas Education Code §130.003(c).

Other funds, including funds collected for tuition and fees, property tax revenues and endowment funds held, can be used for purposes not restricted by Texas Education Code §130.003(a). Of course, all funds expended must be for a public purpose and be aligned with the mission and purpose of community colleges in Texas. It is clear that the Texas Legislature has contemplated tuition assistance and student access to be a proper use of public funds. Tuition waivers and reductions are authorized by several sections of the Education Code, including Code §§130.0033, .008, .0081, .0085, and .00851. Sections 54.010, .0025, and .0035 set out additional statutory reductions, exemptions, and waivers of fees and tuition.

### **Mission and Purpose**

The Texas Legislature has articulated the role and mission of public community colleges as: “. . . offering vocational, technical, and academic courses for certification or associate degrees. Continuing education, remedial and compensatory education consistent with open-admission policies, and programs of counseling and guidance shall be provided. Each institution shall insist on excellence in all academic areas--instruction, research, and public service. Faculty research, using the facilities provided for and consistent with the primary function of each institution, is encouraged.” Texas Education Code § 130.0011. Further, through Texas Education Code § 130.003 (e), the Legislature has stated that the “primary purpose of each public junior college shall be to provide:

- (1) technical programs up to two years in length leading to associate degrees or certificates;
- (2) vocational programs leading directly to employment in semi-skilled and skilled occupations;
- (3) courses in the core curriculum or a field of study curriculum, as those terms are defined by Section 61.821;
- (4) continuing adult education programs for occupational or cultural upgrading;
- (5) compensatory education programs designed to fulfill the commitment of an admissions policy allowing the enrollment of disadvantaged students;

(6) a continuing program of counseling and guidance designed to assist students in achieving their individual educational goals;

(7) work force development programs designed to meet local and statewide needs;

(8) adult literacy and other basic skills programs for adults; and

(9) such other purposes as may be prescribed by the coordinating board or local governing boards in the best interest of post-secondary education in this state.

### **Public Purpose Required for Expenditure of Public Funds**

Article III, § 52(a) of the Texas Constitution prohibits the expenditure of public funds for private purposes. An expenditure that has a clear public purpose is not a prohibited “gift of public funds.” *See Tex. Mun. League Intergov’tl Risk Pool v. Tex. Workers’ Comp. Comm.*, 74 S.W.3d 377, 383 (Tex. 2002). The Texas Supreme Court provides a three-part test to determine whether an expenditure of public funds accomplishes a public purpose as contemplated by article III, section 52(a), *Id.* at 384. A public expenditure for a scholarship program does not violate article III, § 52(a) provided that the College or other public funding entity: (1) ensures the expenditure is to accomplish a public purpose of the College, not to benefit private parties; (2) retains sufficient control over the public funds to ensure the public purpose is accomplished; and (3) ensures the College receives a return benefit. *See id.*; *see also* Tex. Att’y Gen. Op. No. GA-0076 (2003) at 6-7; Att’y Gen. Op. No. KP-0204 (2018).

The purpose of this provision is to prevent the gratuitous grant of public funds for private purposes. *See Edgewood Indep. Sch. Dist. v. Meno*, 917 S.W.2d 717, 740 (Tex. 1995). The Texas Supreme Court recognizes an expenditure of public funds for a public purpose that provides a clear public benefit in return is not an unconstitutional grant of public funds. Furthermore, an expenditure to directly accomplish a legitimate public purpose is constitutional even though it incidentally benefits a private interest. *See Barrington v. Cokinos*, 338 S.W.2d 133, 140 (Tex. 1960). The College's Board of Trustees must decide in the first instance, and subject to judicial review, whether the expenditure for the scholarship satisfies the three-part Texas Municipal League test. Tex. Att’y Gen. Op. Nos. KP-0099 (2016) at 4, GA-0850 (2011) at 3-4, JM-1265 (1990) at 4;. Regarding the first prong concerning a public purpose, the public purpose to be served is not the general good of the public, but a specific purpose of the District. *See* Tex. Att’y Gen. Op. No. GA-0743 (2009) at 2 (“The public purpose served by the expenditure must be an authorized public purpose of the political subdivision.”).

A scholarship program can serve to encourage and motivate students to attain high academic achievement, provide educational access to a wider range of the population, as well as improve career readiness, school attendance, and encouragement and motivation of students in

August 2, 2024

Page 4

academic achievement. Further, a scholarship program can further STC's adopted Vision of "serving as a catalyst to drive regional prosperity, economic development, and the social mobility of those we serve." Scholarship programs, tuition waivers and loan discharge programs have been reviewed and approved as an appropriate use of public education funds in numerous reviews by the Texas Attorney General. See Tex. Att'y Gen. Op. No. JC-244 (2000); Tex. Att'y Gen. Op. No. JC-138 (1999); Tex. Att'y Gen. Op. No. GA-743 (2009); Tex. Att'y Gen. Op. No. JM-1265 (1990); Tex. Att'y Gen. LO-93-093 (1993). The Board may find, as other colleges have, that its mission is furthered by such a program, and that alignment with the Core Values of South Teas College - Student Success, Excellence, Opportunity, Community, and Integrity can be furthered by assisting students through a tuition scholarship program.

### Conclusion

South Texas College, through its Board of Trustees, may institute a program which utilizes local revenues (including tuition, fees, and property tax revenue) for student scholarship awards. This should be done in conjunction with the adoption of a resolution which recites the public purpose to be achieved. A scholarship program using public funds, to be compliant with the Teas Constitution, must (1) ensure the expenditure is to accomplish a public purpose of the College, not to solely benefit private parties; (2) retain sufficient control over the public funds to ensure the public purpose is accomplished; and (3) ensures the College receives a return benefit. We are able to assist further

Best regards,



Mark C. Goulet

Enclosures

cc: client

**Discussion and Action as Necessary on Proposed Budget Amendment  
 for FY 2024 - 2025**

Purpose and Justification - Administration requests the Committee recommend Board approval of the proposed budget amendment for FY 2024 – 2025.

Background - The budget amendment is proposed to allocate the use of the Unrestricted Fund Balance as requested by Administration previously in the Board packet.

1. Unrestricted Fund Carryover Allocations – To create the Valley Promise Scholarship Carryover Allocation in the amount of \$156,500 and the Relgnite Scholarship Carryover Allocation in the amount of \$150,000 for student tuition scholarships.
2. Unrestricted Fund Student Tuition Scholarship Expenditures – To create Unrestricted Fund expenditure account line item for student tuition scholarships.

As noted in the board agenda item previously discussed, a written legal opinion from O’Hanlon, Demerath & Castillo dated August 2, 2024, permits South Texas College, through its Board of Trustees, to establish a program that uses local revenues such as tuition, fees, and property tax income, to fund student scholarships. This initiative should be accompanied by adopting a resolution outlining the public purpose it aims to serve. A scholarship program using public funds, to be compliant with the Texas Constitution, must (1) ensure the expenditure is to accomplish a public purpose of the College, not to solely benefit private parties; (2) retain sufficient control over the public funds to ensure the public purpose is accomplished; and (3) ensures the College receives a return benefit.

As a result of the proposed budget amendment, the total budgeted revenues and expenditures for the Unrestricted Fund for fiscal year 2024 – 2025 will increase by \$306,500 as follows:

**Fiscal Year 2024 - 2025  
 Budgeted Revenues and Expenditures**

<b>Fund</b>	<b>Exh.</b>	<b>Original Budget</b>	<b>Proposed Amendment</b>	<b>Amended Budget</b>
Unrestricted Fund	A	\$235,901,042	\$306,500	\$236,207,542

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

The budget amendment is proposed as follows:

**1. Budget Amendment – Increase the Unrestricted Fund Revenues**

A budget amendment is proposed to increase the Unrestricted Fund Revenues by \$306,500 as follows:

**Fiscal Year 2024 - 2025  
 Unrestricted Fund Revenue Increase/(Decrease)**

<b>Revenue Source</b>	<b>Original Budget</b>	<b>Proposed Amendment</b>	<b>Amended Budget</b>
Total Carryover Allocations	\$18,112,170	\$306,500	\$18,418,670
<b>Total Unrestricted Fund Revenue Increase</b>	<b>\$18,112,170</b>	<b>\$306,500</b>	<b>\$18,418,670</b>

**2. Budget Amendment – Increase Unrestricted Fund Expenditures**

A budget amendment is proposed to increase the Unrestricted Fund Expenditures by \$306,500.

1. The Scholarship Expenditures are proposed to increase \$306,500 due to the creation of the Valley Promise Scholarship for \$156,500 and the Relgnite Scholarship for \$150,000.

**Fiscal Year 2024 - 2025  
 Unrestricted Fund Expenditures Increase**

<b>Transfers &amp; Reserves</b>	<b>Original Budget</b>	<b>Proposed Amendment</b>	<b>Amended Budget</b>
Total Scholarships	\$-	\$306,500	\$306,500
<b>Total Expenditures Increase</b>	<b>\$-</b>	<b>\$306,500</b>	<b>\$306,500</b>

Enclosed Documents - The budget amendment details and presentation follow in the packet for the Committee’s information and review.

Mary Del Paz, Vice President for Finance and Administrative Services, will present the Proposed Budget Amendment for FY 2024 – 2025.

It is requested that the Committee recommend Board approval of the proposed budget amendment for FY 2024 – 2025, as presented.

## South Texas College Unrestricted Fund

Fiscal Year Ending August 31, 2025  
AMENDED

### Revenue Summary

Revenue Source and Carryover Allocations	Original Budget	Budget Amendment	Amended Budget
Total State Appropriations	\$ 65,535,865	\$ -	\$ 65,535,865
Total Tuition	58,879,238	-	58,879,238
Total Fees	2,571,327	-	2,571,327
Total M&O Property Taxes	76,706,437	-	76,706,437
Total Other Revenues	14,096,005	-	14,096,005
Total Carryover Allocations	18,112,170	306,500	18,418,670
<b>Total Revenues and Carryover Allocations</b>	<b>\$ 235,901,042</b>	<b>\$ 306,500</b>	<b>\$ 236,207,542</b>

### Expenditures Summary

Expenditures/Transfers & Reserves	Original Budget	Budget Amendment	Amended Budget
Total Salaries	\$ 132,343,838	\$ -	\$ 132,343,838
Total Benefits	32,269,715	-	32,269,715
Total Operating	41,555,810	-	41,555,810
Total Technology	10,310,744	-	10,310,744
Total Travel	2,714,306	-	2,714,306
Total Capital Outlay	3,531,629	-	3,531,629
Total Scholarships	-	306,500	306,500
<b>Total Expenditures</b>	<b>\$ 222,726,042</b>	<b>\$ 306,500</b>	<b>\$ 223,032,542</b>
<b>Transfers &amp; Reserves</b>			
Transfer to Unexpended Plant Fund - Construction	10,000,000	-	10,000,000
Transfer to Renewals & Replacements Plant Fund	-	-	-
Transfer to Student Activities Fund	1,175,000	-	1,175,000
Contingency Fund	2,000,000	-	2,000,000
Fund Balance Reserve	-	-	-
<b>Total Transfers &amp; Reserves</b>	<b>13,175,000</b>	<b>-</b>	<b>13,175,000</b>
<b>Total Expenditures/Transfers &amp; Reserves</b>	<b>\$ 235,901,042</b>	<b>\$ 306,500</b>	<b>\$ 236,207,542</b>

# Proposed Budget Amendment for FY 2024 - 2025

SEPTEMBER 10, 2024

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MARY DEL PAZ, MBA, CPA, CFE, CGMA  
VICE PRESIDENT FOR FINANCE AND ADMINISTRATIVE SERVICES

1

## Summary of Proposed Budget Amendment

Fund	Original Budget	Proposed Amendment	Amended Budget
Unrestricted Fund	\$235,901,042	\$306,500	\$236,207,542

2



## Summary of Budget Changes Unrestricted Fund – Revenues

Revenue Source	Increase/ (Decrease)	Description
Total Carryover Allocations	\$306,500	\$306,500 due to the use of the Unrestricted Fund Balance for student tuition scholarships
<b>Total Revenue Increase</b>	<b>\$306,500</b>	

3

## Proposed Budget Amendment Summary Unrestricted Fund

### Revenue Summary

Revenue Source and Carryover Allocations	Original Budget	Budget Amendment	Amended Budget
Total State Appropriations	\$ 65,535,865	\$ -	\$ 65,535,865
Total Tuition	58,879,238	-	58,879,238
Total Fees	2,571,327	-	2,571,327
Total M&O Property Taxes	76,706,437	-	76,706,437
Total Other Revenues	14,096,005	-	14,096,005
Total Carryover Allocations	18,112,170	306,500	18,418,670
<b>Total Revenues and Carryover Allocations</b>	<b>\$ 235,901,042</b>	<b>\$ 306,500</b>	<b>\$ 236,207,542</b>

4

## Summary of Budget Changes Unrestricted Fund – Expenditures

Expenditures	Increase/ (Decrease)	Description
Total Scholarships	\$306,500	\$306,500 due to the creation of the Valley Promise Scholarship for \$156,500 and the Reignite Scholarship for \$150,000
<b>Total Expenditures Increase</b>	<b>\$306,500</b>	

5

## Proposed Budget Amendment Summary Unrestricted Fund

### Expenditures Summary

Expenditures/Transfers & Reserves	Original Budget	Budget Amendment	Amended Budget
Total Salaries	\$ 132,343,838	\$ -	\$ 132,343,838
Total Benefits	32,269,715	-	32,269,715
Total Operating	41,555,810	-	41,555,810
Total Technology	10,310,744	-	10,310,744
Total Travel	2,714,306	-	2,714,306
Total Capital Outlay	3,531,629	-	3,531,629
Total Scholarships	-	306,500	306,500
<b>Total Expenditures</b>	<b>\$ 222,726,042</b>	<b>\$ 306,500</b>	<b>\$ 223,032,542</b>
<b>Transfers &amp; Reserves</b>			
Transfer to Unexpended Plant Fund - Construction	10,000,000	-	10,000,000
Transfer to Renewals & Replacements Plant Fund	-	-	-
Transfer to Student Activities Fund	1,175,000	-	1,175,000
Contingency Fund	2,000,000	-	2,000,000
Fund Balance Reserve	-	-	-
<b>Total Transfers &amp; Reserves</b>	<b>13,175,000</b>	<b>-</b>	<b>13,175,000</b>
<b>Total Expenditures/Transfers &amp; Reserves</b>	<b>\$ 235,901,042</b>	<b>\$ 306,500</b>	<b>\$ 236,207,542</b>

6

Questions?



7

## **Review and Recommend Action to Modify Approvals Required for Release of Disbursements**

Purpose and Justification – Administration requests the Committee recommend Board approval to modify approvals required for release of disbursements to expedite and streamline the process of issuing vendor payments.

Background –The procedures in place for approvals required for the release of disbursements are as per retired Policy 5610. The policy was retired on June 27, 2023.

In an effort to expedite disbursements to vendors and reduce manual processes, administration is proposing to modify the approvals required by dollar value ranges.

All disbursements are made for allowable items included in the annual budget, including salaries, benefits, operating, travel, capital, and construction costs. Purchases for \$50,000 and above are presented to the Board of Trustees for approval on a monthly basis. The procurement method of each purchase follows board-approved requirements, including verbal or written quotes, Request for Proposals, or Request for Qualifications, depending on the nature and amount of the expenditure.

Vendors are requesting timely payments for goods or services rendered that have already been approved by the Board through an approved procurement method but require additional approvals for the release of the disbursements. In addition, the implementation of Workday provides an opportunity to review and update internal processes.

The benefits associated with modification of the approvals required for the release of disbursement include, but are not limited to, the following:

- Reduce the time required for routing documents for signature and manual handling and routing of the checks.
- Enhance the disbursement payment process and reduce bottlenecks.
- Align the disbursement thresholds with the economic environment as the cost of goods and services has increased.
- Improve vendor relationships and customer service.

As an additional control, currently, disbursements over \$125,000 require the Vice President for Finance and Administrative Services and the President to initial on the check by their signature or to sign an authorization memo for direct deposit disbursement. The threshold for this process is proposed to authorize the Associate Vice President for Finance and Management and the Vice President for Finance and Administrative Services to initial/sign for disbursements of \$250,000 and above.

Reviewers – The approvals required for the release of disbursements have been reviewed by the Executive Cabinet and the Vice President for Finance and Administrative Services.

Enclosed Documents – An exhibit displaying the current and proposed approvals for the release of disbursement follows in the packet for the Committee’s information and review.

Mary Del Paz, Vice President for Finance and Administrative Services, will be present at the Committee Meeting to address questions.

It is requested that the Committee recommend Board approval to modify approvals required for release of disbursements as presented, and which supersedes any previously adopted approvals required for release of disbursements.

# Approvals for Release of Disbursements (Checks, Electronic Direct Payments) Dollar Ranges

Approver	Dollar Range							
	Range A		Range B		Range C		Range D	
	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed
Board						Notification 2		Notification 2
President						Notification 2		Notification 1
VPFAS						Notification 1		
AVP								
Comptroller								
AP								
Dollar Range	Less than \$25K		\$25K - \$124K		\$125K - \$249K		\$250K and above	

100

<b>Disbursements (total count 12,992)</b>	<b>12,616</b>	<b>275</b>	<b>55</b>	<b>46</b>
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Notification 1  
Notification 2

Notification in form of a list of the checks will be provided on a weekly basis  
Notification in form of a list of the checks will be provided on a monthly basis

Legend

 Current

 Proposed

**Presentation and Action as Necessary on Acceptance of South Texas College Chief Executive Officer Reporting Requirements for Academic Year 2023 – 2024 of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking Incidents Under Texas Education Code, Section 51.253(c)**

Purpose and Justification – Administration requests the Committee recommend Board acceptance of the South Texas College Chief Executive Officer Reporting Requirements for Academic Year 2023 - 2024 of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking Incidents Under Texas Education Code, Section 51.253(c).

Under the Texas Education Code (TEC), Section 51.253(a), the institution’s Title IX Coordinator is required to submit a written report no less than every three months to the Institution’s Chief Executive Officer regarding reports **received from employees** who are required to report under the TEC, Section 51.252.

The Chief Executive Officer of every higher education institution must also submit a data report at least once during each fall or spring semester to the Board of Trustees and submit the report to the Texas Higher Education Coordinating Board and certify that it has been presented to the Board and posted on the College’s website.

During academic year 2023 - 2024 (commencing September 1, 2023), the College has received reports concerning sexual harassment, sexual assault, dating violence, or stalking incidents from employees.

Background – TEC Section 51.252 requires **employees** of higher education institutions to report incidents of sexual harassment, sexual assault, dating violence, or stalking allegedly committed by or against a student or employee to a Title IX Coordinator or Deputy Title IX Coordinator. If an employee fails to report or falsely reports such incidents, SB212 subjects these employees to criminal liability (misdemeanor) and termination of employment.

Thus, these reports **only include incidents submitted by employees** and does not include incidents submitted by students or others. Therefore, this is not a summary of all sexual harassment or sexual misconduct cases received by the College. Any additional reports received by the Title IX Coordinator that do not meet the required reporting criteria in the TEC have been omitted for compliance purposes of this specific report.

The College President is now presenting the FY 2023 - 2024 Annual Report.

The Annual Report for the period of September 2023 through August 2024 includes incidents defined in the TEC, Section 51.251 as “sexual harassment,” “sexual assault,” “dating violence,” or “stalking,” which are also violations of the sexual misconduct provisions of South Texas College Policy #4216: Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation Prohibited.

For the purposes of complying with the reporting requirements under TEC Section 51.253(a), these reports have been modeled following guidance by the Texas Higher Education Coordinating Board.

Reviewers – The Vice President for Finance and Administrative Services and Title IX Coordinator have reviewed the information being presented.

Enclosed documents – The South Texas College’s CEO’s SB212 Annual Report for the period of September 2023 through August 2024 follows in the packet for the Board’s information and review.

Dr. Ricardo J. Solis, President, and Mary Del Paz, Vice President for Finance and Administrative Services, will be present at the Committee Meeting to address any questions.

It is requested that the Committee recommend Board acceptance of the South Texas College Chief Executive Officer Reporting Requirements for Academic Year 2023 - 2024 of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking Incidents Under Texas Education Code, Section 51.253(c) as presented.





**South Texas College**  
**SB212 Annual Report, 2023-2024**  
(Commencing September 1, 2023 through August 31, 2024)

**TO:** South Texas College Board of Trustees  
**FROM:** Dr. Ricardo Solis, Ph.D., South Texas College President  
**DATE:** September 24, 2024  
**RE:** President Reporting Requirements under Tex. Educ. Code § 51.253(c)

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Under the Texas Education Code (TEC), Section 51.253(c), each institution’s President is required to submit a data report at least once during each fall or spring semester to the institution’s governing body and post on the institution’s internet website a report concerning the reports *received by employees* under the TEC, Section 51.252. This requires reporting of incidents constituting “sexual harassment,” “sexual assault,” “dating violence,” or “stalking” as defined in the TEC, Section 51.251, and any disciplinary actions taken under TEC, Section 51.255.

For the purposes of complying with the President’s reporting requirements under TEC, Section 51.253(c), the attached summary data report<sup>1</sup> (Appendix A) includes all of the required reporting information to the Board of Trustees for the 2023-2024 academic year, commencing September 1, 2023 and through August 31, 2024. The summary data in Appendix A is categorized based on the reporting requirements under TEC, Section 51.253(c). The reports received may be applicable in multiple reporting categories, and therefore, the summary data in the categories may not add up to the totals of other categories.

The summary data report is also posted on the South Texas College Title IX Webpage as per the public reporting requirements under TEC, Section 51.253(c) at:

<https://www.southtexascollege.edu/title-ix/index.html>.

**Note:** Any additional reports received by the Title IX Coordinator that do not meet the required reporting criteria in the Texas Education Code have been omitted for the compliance purposes of this specific report.

<sup>1</sup> When identifiable, duplicate reports were consolidated and counted as one report in the summary data, and confidential employee reporting is noted as a sub-set to the total number of reports received.

## Appendix A

### Summary Data Report

#### 2023-2024 Academic Year

(Commencing September 1, 2023 through August 31, 2024)

<b>Texas Education Code, Section 51.252</b>	
<b>Number of reports received under Section 51.252</b>	<b>13</b>
Number of confidential reports <sup>1</sup> under Section 51.252	
Number of investigations conducted under Section 51.252	<b>0</b>
Disposition <sup>2</sup> of any disciplinary processes for reports under Section 51.252:	
a. Concluded, No Finding of Policy Violation	0
b. Concluded, with Employee Disciplinary Sanction	0
c. Concluded, with Student Disciplinary Sanction	0
d. <b>SUBTOTAL</b>	<b>0</b>
Number of reports under Section 51.252 for which the institution determined not to initiate a disciplinary process	<b>13</b>

<b>Texas Education Code, Section 51.255</b>	
<b>Number of reports received that include allegations of an employee's failure to report or who submits a false report to the institution under Section 51.255(a)</b>	<b>0</b>
Any disciplinary action taken, regarding failure to report or false reports to the institution under <b>Section 51.255(c)</b> :	
a. Employee termination	
b. Institutional intent to termination, in lieu of employee resignation	-- -

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<sup>1</sup>“Number of confidential reports” is a sub-set of the total number of reports that were received under Section 51.252, by a confidential employee or office (e.g., Counseling Center, Student Health Center, Victim Advocate for Students, or Student Ombuds).

<sup>2</sup>“Disposition” means “final result under the institution’s disciplinary process” as defined in the Texas Higher Education Coordinating Board’s (THECB) rules for TEC, Section 51.259 [See 19 Texas Administrative Code, Section 3.6(3) (2019)]; therefore, pending disciplinary processes will not be listed until the final result is rendered.

### **Review and Recommend Acceptance of Internal Audit Annual Report for FY 2024**

Purpose and Justification – Administration requests the Committee recommend Board acceptance of the Internal Audit Annual Report for FY 2024.

“Texas Government Code Section 2102.015 *Publication of Audit Plan and Annual Report on Internet* requires state agencies and institutions of higher education to post certain information on their website. To comply with Code 2102.015, an Internal Audit Annual Report has been completed.” The Report includes a summary of audit findings along with management’s planned corrective actions.

Background – The Internal Audit Annual Report provides the Finance, Audit, and Human Resources Committee with information related to the Internal Audit Function’s activities over the past fiscal year. Specifically, the annual report includes the prior year’s approved projects and audit plan; a summary of findings; management’s plan for corrective action; implementation status of corrective action; and next fiscal year’s approved projects and audit plan.

Enclosed Documents - A copy of the Internal Audit Annual Report follows in the packet for the Committee’s information and review.

Khalil Abdullah, Chief Internal Auditor, will be present at the Committee meeting to discuss and address any questions.

It is requested that the Committee recommend Board acceptance of the Internal Audit Annual Report for FY 2024 as presented.



# SOUTH TEXAS COLLEGE

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## INTERNAL AUDIT

### Annual Report Fiscal Year 2024

Prepared by:  
Khalil M. Abdullah

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## **I. Compliance with TGC, Sec 2102.015**

Texas Government Code Section 2102.015 was added by House Bill 16 (83<sup>rd</sup>. Legislature) on June 14, 2013. House Bill 16 amended the Internal Auditing Act to require state agencies and institutions of higher education, as defined in the bill, to post agency internal audit plans, internal audit annual reports, and any weaknesses or concerns resulting from the audit plan or annual report on the entities' website, at the time and in the manner provided by the State Auditor's Office. Specifically, the College must post the following information within 30 days of approval by the Board of Trustees:

- The approved audit plan for the current fiscal year;
- The audit plan from the previous fiscal year;
- A detailed summary of the weaknesses, deficiencies, wrongdoings, or other concerns raised by the audit plan or annual report; and
- A summary of the action taken by the College to address concerns raised by the audit plan or annual report.

To comply with the requirements, South Texas College's Office of Internal Audits will submit its Annual Report to the website coordinators to be posted on the Internal Audit section of the College's website no later than 30 days after the Board of Trustees approves the current year audit plan at its August 27, 2024 scheduled meeting. This report includes all the elements required by Texas Government Code Section 2102.015.



## **II. Internal Audit Plan for Fiscal Year 2024**

The Board of Trustees approved the internal audit plan for FY 2024 on August 22, 2023. The audit plan was prepared using risk assessment techniques as required by the Institute of Internal Auditor (IIA) *Standards*.

Audits not completed in FY 2024 were carried forward and included in the FY 2025 audit plan.

### FY 2023 – 2024 (Scheduled)

1. Fraud Survey
2. Financial Aid – Federal Awards
3. Faculty Overloads
4. Business Continuity / Disaster Recovery
5. HR Processes – Employee Hiring and Staffing
6. Environmental Health & Safety
7. Account Reconciliations
8. Fixed Assets
9. Student Organization Funds Handling
10. Quality Assurance Review – External QAR



### **III. Consulting and Nonaudit Services**

The Office of Internal Audits did not work on any consulting engagements in FY 2024

### **IV. External Quality Assurance Review**

IIA *Standard* 1312 requires an external assessment of an internal audit activity be conducted at least once every five years by a qualified, independent assessor or assessment team from outside the organization. IIA *Standards* allows for the completion of a self-assessment that includes a comprehensive and fully documented process completed by the Internal Auditor with independent external validation. The Office of Internal Audits is due to have the results of the comprehensive self-assessment validated by an independent external assessor.





**V. Summary of Findings and Management’s Corrective Action Plan**

Report No.	Report Date	Project Name	Summary of Finding	Summary of Corrective Action Plan	Status of Correction Action Plan
24-01	10/26/2023	Fin. Aid Federal Awards	Mgmt. should ensure that notices are provided to students that include information related to a student's rights under FERPA.	The College Registrar will work with the Office of Curriculum to ensure that students are notified annually when the Catalog is published. The College eliminated hard copy Catalogs and the notice will be sent with the link to the Catalog.	Implemented
24-02	7/3/2024	Student Org. Fds. Handling	The Student Organization Handbook should be reviewed and updated to include additional guidance on cash handling procedures.	The following will be added to procedures: Keeping track of transactions/reconciliations Funds only accepted through Cash, checks, Mk Keeping transaction/deposit records.	Implemented
24-02	7/3/2024	Student Org. Fds. Handling	Employees assigned job duties related with the collection and deposit of cash should be required to complete funds handling training.	New training will be provided to include all additional/revised information related to funds handling.	Pending follow up sch. For Oct. 4th
24-02	7/3/2024	Student Org. Fds. Handling	Student Organization Advisors should ensure that accounts under their control are reconciled.	Student organizations will be referred to the Business Office if they need training on the account reconciliation process.	Pending follow up sch. For Oct. 4th

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Report No.	Report Date	Project Name	Summary of Finding	Summary of Corrective Action Plan	Status of Correction Action Plan
24-02	7/3/2024	Student Org. Fds. Handling	The use of personal bank accounts should be restricted, that includes accepting payments via payment services that require the use of a personal bank account such as CashApp, Venmo, etc.	Student Activities has been working with the BO to establish an STC Marketplace account for student orgs. Student Activities will no longer accept pmts. Using CashApp/Zelle/Venmo going forward.	Pending follow up sch. For Oct. 4th
24-02	7/3/2024	Student Org. Fds. Handling	Collections must be deposited within 2 business days.	Student Activities will remind clubs of the procedures to deposit funds within 2 business days each time we are aware of a fundraiser.	Pending follow up sch. For Oct. 4th
24-02	7/3/2024	Student Org. Fds. Handling	Sufficient records must be maintained to support cash collections and to facility subsequent account reconciliation procedures. Record retention requirements should be established and communicated to all Student Org Advisors	Student org. Advisors will be required to keep all records related to their club in line with STC's record retention procedures.	Pending follow up sch. For Oct. 4th

## **VI. Internal Audit Plan for Fiscal Year 2025**

In accordance with the Institute of Internal Auditor's (IIA) *Standard 2010*, a formal audit plan is required for fiscal year (FY) 2025. An entity-wide risk assessment was conducted to evaluate each area based on current conditions, circumstances, and management concerns.

Input to the annual plan was requested from the Board, the President, Vice presidents, and other senior managers. Major goals and institutional objectives were reviewed to identify areas where value-added audit services could be provided.

On August 27, 2024 South Texas College's Board of Trustees approved the following projects for FY 2025.

FY 2024 – 2025 (Scheduled)

1. Fraud Survey
2. IT Business Continuity / Disaster Recover Planning
3. HR - Employee Hiring and Staffing
4. Environmental Health & Safety
5. Account Reconciliations
6. Fixed Assets
7. Effort Reporting
8. Senate Bill 17



### **VII. External Audit Services – Fiscal Year 2024**

All external audit services that were procured or were ongoing in fiscal year 2024 by South Texas College are listed below.

- Carr, Riggs & Ingram - Annual Financial Statement Audit;
- State Auditor’s Office – Public Funds Investment Act Compliance Assessment;

### **VIII. Reporting Suspected Fraud and Abuse**

South Texas College has taken the following actions to implement the fraud detection and reporting requirements of Section 7.09 of the 84<sup>th</sup> Legislature’s General Appropriations Act, and Texas Government Code, Section 321.022:

- A confidential fraud hotline is available for employees to report suspected fraud.
- Solicits feedback from employees related to fraud through an annual fraud survey.
- Established formal guidelines for reporting and investigating suspected or known fraud, waste, abuse and other improprieties;
- South Texas College’s *Guidelines for Reporting and Investigating Suspected or Known Fraud, Waste, Abuse and Other Improprieties* describes how to report suspected fraud to the State Auditor’s Office and includes information on the State Auditor’s Office Fraud, Waste, and/or Abuse Hotline.

### **Review and Recommend Action to Adopt New Business and Support Services Policy and Retire Current Policy**

Purpose and Justification – Administration requests the Committee recommend Board approval to adopt the new Business and Support Services Policy and retire current policy to align with the Texas Association of School Boards (TASB) policy manual.

The new policy is in the TASB standardized format and contains all, some, or none of the content from the retired policy. In addition to the policy and, as applicable, internal procedures are currently in place and will continue to be enhanced.

The adoption of new and/or retired policies are as follows:

Adopt New Policy	Comparable/Retired Policy(ies)	Retired Policy Content Transition
A-1. CS (Local) Information Security	A-2. Policy # 4712: Information Resources Security Electronic Communications	All of the content from the retired policy is included in the new local policy.

Background – On March 31, 2020, the Board of Trustees approved an interlocal agreement with TASB for Policy Management Service. Throughout FY 2022, FY 2023, and FY 2024, current College board policies will be reviewed, retired, and transitioned into the TASB formatted policies. TASB will then provide a comprehensive, current, and legally sound Policy Manual.

Reviewers – The new and retired policies have been reviewed by staff, administrators, TASB staff, STC Legal Counsel, and the Chief Information Security Officer.

Enclosed Documents – The new and retired policies follow in the packet for the Committee’s information and review.

Luis Gonzalez, Chief Information Security Officer, will be present at the Committee Meeting to address questions.

It is requested that the Committee recommend Board approval to adopt the new Business and Support Services Policy and retire current policy as presented, which supersedes any previously adopted Board policy.

The College President is responsible for the security of the College District's information resources. The College President or designee shall develop procedures for ensuring the College District's compliance with applicable law.

**Information Security Officer**

The College President or designee shall designate an information security officer (ISO) who is authorized to administer the information security requirements under law. The College President or designee must notify the Department of Information Resources (DIR) of the individual designated to serve as the ISO.

**Information Security Program**

The College President or designee shall annually review and approve an information security program designed in accordance with law by the ISO to address the security of the information and information resources owned, leased, or under the custodianship of the College District against unauthorized or accidental modification, destruction, or disclosure. The program shall include procedures for risk assessment and for information security awareness education for employees when hired and an ongoing program for all users.

The information security program must be submitted biennially for review by an individual designated by the College President and who is independent of the program to determine if the program complies with the mandatory security controls defined by DIR and any controls developed by the College District in accordance with law.

**College District Website and Mobile Application Security**

The College President or designee shall adopt procedures addressing the privacy and security of the College District's website and mobile applications and submit the procedures to DIR for review.

The procedures must require the developer of a website or application for the College District that processes confidential information to submit information regarding the preservation of the confidentiality of the information. The College District must subject the website or application to a vulnerability and penetration test before deployment.

**Covered Social Media Applications**

The College President or designee shall adopt procedures prohibiting the installation or use of a covered application, as defined by law, on a device owned or leased by the College District and requiring the removal of any covered applications from the device.

Exception

The procedures shall permit the installation and use of a covered application for purposes of law enforcement and the development and implementation of information security measures. The procedures must address risk mitigation measures during the permitted

use of the covered application and the documentation of those measures.

**Reports**

Effectiveness of  
Policies,  
Procedures, and  
Practices

The ISO shall report annually to the College President on the effectiveness of the College District's information security policies, procedures, and practices in accordance with law and administrative procedures.

Biennial Information  
Security Plan

The College District shall submit a biennial information security plan to DIR in accordance with law.

Information Security  
Assessment

In accordance with law, at least every two years, the College District shall submit the results of its information security assessment to DIR and, if requested, the office of the governor, lieutenant governor, and speaker of the house of representatives.

Security Incidents  
*By the College  
District*

The College District shall assess the significance of a security incident and report it to DIR and law enforcement in accordance with law and, if applicable, DIR requirements.

Generally  
Security Breach  
Notification

Upon discovering or receiving notification of a breach of system security or a security incident, as defined by law, the College District shall disclose the breach or incident to affected persons or entities in accordance with the time frames established by law.

The College District shall give notice by using one or more of the following methods:

1. Written notice.
2. Electronic mail, if the College District has electronic mail addresses for the affected persons.
3. Conspicuous posting on the College District's website.
4. Publication through broadcast media.

*By Vendors and  
Third Parties*

The College District shall include in any vendor or third-party contract the requirement that the vendor or third party report information security incidents to the College District in accordance with law and administrative procedures.

## MANUAL OF POLICY

<b>Title</b>	<b>Information Resources Security Electronic Communications</b>	<b>4712</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 1 of 1</b>
<b>Date Approved by Board</b>	<b>Board Minute Order dated February 13, 1997 Board Minutes Order dated December 17, 2009</b>	

Information resources at South Texas College are strategic and vital assets that must be available and protected commensurate with their value and administered in conformance with federal and state law.

Measures shall be taken to protect these assets against unauthorized access, disclosure, modification or destruction, whether accidental or deliberate, as well as to assure the availability, integrity, utility, authenticity, and confidentiality of information.

Information Security Standards for institutions of higher education are specified in Texas Administrative Code. The College maintains and makes available guidelines that define and implement an Information Security Program in accordance with these state standards and other regulatory requirements pertaining to Information Resources Security.

Any person violating this policy or related guidelines is subject to immediate disciplinary action, which may include termination, expulsion or termination of a contract. In addition, there may be cases in which a person may be subject to civil or criminal liability.

RETIRED



### **Review and Recommend Action to Revise Personnel Policy**

Purpose and Justification – Administration requests the Committee recommend Board approval to revise Personnel policy to align with the Texas Association of School Boards (TASB) policy manual.

The revised policy is as follows:

Revised Policy(ies)
A-1. DEC (Local) Compensation and Benefits - Leaves and Absences

Background – The College adopted Policy DEC on August 22, 2023. As part of the 46<sup>th</sup> Numbered Update, TASB provided revisions to policy DEC.

The new policy revisions are as follows:

- DEC addresses HB 471 providing police officers leave of absence for illness or injury related to the person’s line of duty.

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

Enclosed Documents – The revised local policy follows in the packet for the Committee’s information and review.

Mary G. Del Paz, Vice President for Finance and Administrative Services, and Dr. Zachary Suarez, Executive Director of Human Resources and Talent Development, will be present at the Committee Meeting to address questions.

It is requested that the Committee recommend Board approval to revise Personnel Policy, DEC (Local) Compensation and Benefits - Leaves and Absences, as presented, and which supersedes any previously adopted Board policy.

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**Note:** For College District contribution to employee insurance during leave, see CKD(LOCAL). For additional provisions addressing the Family and Medical Leave Act (FMLA), see DECA(LEGAL).

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**Leave  
Administration**

The College President or designee shall develop administrative regulations associated with employee leaves and absences and ensure the procedures are used to implement the provisions of this policy.

**Definitions**

The term “immediate family” is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, or a legal ward.
3. Parent, stepparent, or parent-in-law.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.

For purposes of the FMLA, the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term “family emergency” shall be limited to catastrophic illness or injury involving the employee or a member of the employee’s immediate family.

Leave Day

A “leave day” for purposes of use or recording of leave shall mean the number of hours per day equivalent to the employee’s usual assignment, whether full-time or part-time.

Academic Year

An “academic year” for purposes of earning, use, or recording of leave shall mean the term of an employee’s annual employment as set by the College District for the employee’s usual assignment, whether full-time or part-time.

Catastrophic Illness  
or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee’s immediate family that requires treatment by a licensed physician for a prolonged period of time. An illness or injury is considered severe if it requires prolonged hospitalization or recovery or is expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

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**Earning Leave**

An employee shall not earn any form of paid leave when absent from official duty for 30 consecutive days or more.

**Deductions**

Leave Without Pay

The College District shall not approve paid leave for more leave days than have been accumulated, to date. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.

Leave Proration

*Employed for  
Less Than Full  
Year*

If an employee separates from employment with the College District, paid leave shall be prorated based on the actual time employed.

If an employee separates from employment with the College District, the employee's final paycheck shall be reduced for paid leave the employee used, but had not earned, as of the date of separation.

*Employed for Full  
Year*

If an employee uses more paid leave than he or she earned and remains employed with the College District through the last work-day of the academic year, the College District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.

**Medical Certification**

An employee shall submit medical certification and/or documentation of the need for leave if:

1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family;
2. The College District requires medical certification due to a questionable pattern of absences or when deemed necessary by the executive director of human resources and talent development or designee; or
3. The employee requests FMLA leave for the employee's serious health condition; for a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

**Sick Leave**

Each full-time employee shall earn eight hours of paid sick leave per month. Each eligible part-time employee shall earn sick leave on a prorated basis.

Part-time employees will accrue sick leave as follows:

- 1-19 regular weekly scheduled hours – 0 hours accrual

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- 20-30 regular weekly scheduled hours – 4 hours accrual/month
- 31-39 regular weekly scheduled hours – 6 hours accrual month

Sick leave shall accumulate to a maximum of 720 hours.

Sick leave shall only be used for the following:

1. Illness of the employee.
2. Illness of a member of the employee's immediate family.
3. Family emergency.
4. Birth or placement of a child when taken within the first year after the child's birth, adoption, or foster placement.
5. Donation to a sick leave pool.
6. Religious holiday.

**Sick Leave Pool**

A sick leave pool member who has exhausted all paid leave and who suffers a catastrophic illness or injury or whose immediate family member suffers a catastrophic illness or injury may request sick leave pool hours.

The sick leave pool benefits shall cease when the employee no longer needs leave for the purpose requested, **or when the employee uses- exhausts** the maximum number of days allowed under **at the** pool, or exhausts all leave days **which the employee has** donated to the sick leave pool, **whichever is greater**.

The College President or designee shall develop regulations for the implementation of the sick leave pool that address the following:

1. Procedures to request the establishment of a sick leave pool;
2. Eligibility requirements for obtaining sick leave days from the sick leave pool;
3. The maximum number of days an employee may donate to a sick leave pool; and
4. The maximum number of days an eligible employee may receive from a sick leave pool.

**Appeal**

An employee may appeal a decision regarding the establishment or implementation of the College District's sick leave pool in accordance with DGBA(LOCAL), beginning with the College President or appropriate administrator.

**Leave for Certain  
Law Enforcement  
and EMS Personnel**

Mental Health  
Leave ~~for Peace  
Officers~~

A College District peace officer **or a full-time telecommunicator, as defined by law**, who experiences a traumatic event in the scope of employment shall be granted a maximum of five days of mental health leave per traumatic event. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The College President shall develop regulations regarding mental health leave that address the following:

1. Circumstances or reasons under which ~~a peace officer~~ **an eligible employee** may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requester;
3. The administrator authorized to approve requests for mental health leave; and
4. Other procedures deemed necessary for administering this provision.

Quarantine Leave  
~~for Peace Officers  
and Emergency  
Medical  
Technicians~~

A College District peace officer or an emergency medical technician on staff shall be granted quarantine leave when ordered by the local health authority and the person's supervisor to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The College President shall develop regulations regarding quarantine leave that address the following:

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and
3. Other procedures deemed necessary for administering this provision.

**Line of Duty  
Illness or Injury  
Leave**

**Following a leave of absence with full pay as required by law, the College District shall not extend the leave of absence for a police officer's or emergency medical services personnel's line of duty illness or injury. In accordance with law, an eligible employee may use accumulated leave.**

**Family and Medical  
Leave**

FMLA leave shall run concurrently with applicable paid leave or compensatory time, as applicable.

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Twelve-Month Period	For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be measured backward from the date an employee uses FMLA leave.
Combined Leave for Spouses	When both spouses are employed by the College District, the College District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The College District shall limit military caregiver leave to a combined total of 26 weeks.
Intermittent or Reduced Schedule Leave	The College District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.
Certification of Leave	When an employee requests leave, the employee shall provide certification, in accordance with FMLA regulations, of the need for leave.
Fitness-for-Duty Certification	In accordance with administrative regulations, when an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.

**Vacation Leave**

Each full-time, 12-month employee, as well as each full-time child development employee, shall earn paid vacation leave in accordance with years of service and administrative regulations. Hours will accrue as follows:

1. Eight hours per month for employees with less than five years of service.
2. Ten hours per month for employees with more than five years, but less than ~~ten~~10 years of service.
3. Twelve hours per month for employees with more than 10 years of service, but less than 15 years of service.
4. Fourteen hours per month for employees with more than 15 years of service, but less than 20 years of service.
5. Sixteen hours per month for employees with more than 20 years of service.

Additional unused hours in excess of 96 hours will be forfeited at the end of the fiscal year.

Request for Vacation Leave	The employee shall submit a request for use of vacation leave to the employee's immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny vacation leave, the supervisor or designee shall
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	<p>consider the effect of the employee's absence on the educational program or College District operations.</p>
<p>Personal Leave</p>	<p>Personal leave is deducted from the employee's accumulated sick leave.</p> <p>Employees may use up to a maximum of four days of accrued sick leave during any fiscal year as personal leave to be used for funerals not covered by bereavement leave, religious observances, or sick leave for persons outside the immediate family.</p> <p>Full-time faculty members who do not accrue vacation leave may use four of the accrued sick leave days as personal leave days, per academic year (two per long semester), to conduct personal business.</p>
<p><b>Development Leave</b></p>	<p>A faculty member [see definition at DEC(LEGAL) Development Leaves of Absence] may be granted faculty development leave for study, research, writing, field observations, or other suitable purpose.</p>
<p>Eligibility</p>	<p>To qualify for development leave, a faculty member must serve at least three consecutive academic years performing full-time academic duty as an instructor or as an assistant, associate, or full professor, or an equivalent rank. The work need not include teaching.</p> <p>Alternatively, the faculty member may qualify for development leave as an administrator if the faculty member has had significant administrative duties relating to the operation of the College District for more than four years.</p>
<p>Application</p>	<p>To be granted development leave for the subsequent academic year, a faculty member must apply to the College President by March 1 on a signed and dated form created by the administration. The application shall contain:</p> <ol style="list-style-type: none"><li>1. The requested effective date and duration of leave.</li><li>2. A description of the specific purpose for which the leave is requested.</li><li>3. An explanation as to how the leave is consistent with the mission and purpose of the College District and the benefit of the leave to the College District.</li><li>4. An assurance that the faculty member intends to return to the College District following the completion of the development leave to serve for a period equal to the amount of time the faculty member received for development leave, if approved, and that, if the faculty member does not return, the employee</li></ol>

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shall repay the College District for any benefits paid to or on behalf of the employee during the leave period.

5. Any other information deemed appropriate by the College President.

Approval Procedure	<p>A development leave committee shall be elected annually by the general faculty membership on a date determined by the College President to be no later than the application deadline. The committee shall be composed of 10 members and shall elect a chair during the first meeting. The chair shall be responsible for scheduling and presiding over each meeting of the committee.</p> <p>After reviewing the applications for development leave, the committee chair shall forward the committee's recommendation to the College President. After review of the committee's recommendation, the College President shall make a recommendation as to which applications should be granted for consideration at a Board meeting to occur before the end of the spring semester. No more than six percent of the College District's faculty members may be on development leave at any one time.</p> <p>The College President shall inform the applicants of the final determination by the Board.</p>
Duration and Compensation	<p>Development leave shall be for one academic year at one-half of the faculty member's regular salary or for one-half academic year at full regular salary.</p>
<i>Exception</i>	<p>If the faculty member qualifies for development leave as an administrator, the Board may grant development leave at the faculty member's full, regular salary for one year.</p>
Outside Employment	<p>A faculty member granted development leave is prohibited from accepting employment with another employer without permission of the Board.</p>
Return to Work	<p>The faculty member must agree to return to the College District following the conclusion of the development leave to serve for a period equal to the amount of time the faculty member received for development leave and if not, to repay the College District for any benefits paid to or on behalf of the faculty member during the leave period.</p>
Report	<p>Upon returning from development leave, the faculty member must report to the Board in writing regarding whether the purpose of the leave was fulfilled with a description regarding the manner in which it was fulfilled or if it was not fulfilled, the reasons why the leave was not fulfilled.</p>



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**Bereavement Leave** A full-time employee shall be granted up to three days of paid bereavement leave upon the death of a member of the employee's immediate family, including grandparents. Bereavement leave shall be noncumulative.

**Workers' Compensation**

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**Note:** Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the College District's contribution to health insurance.

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An absence due to a work-related injury or illness shall be designated as FMLA leave.

**No Paid Leave Offset**

The College District shall not permit the option for paid leave offset in conjunction with workers' compensation income benefits.

**Court Appearances**

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the College District and shall not be deducted from the employee's pay or leave balance.

**Payment for Accumulated Leave Upon Separation**

The following leave provisions shall apply to vacation leave and sick leave accumulated beginning on the original effective date of this policy and procedures.

An employee who separates from employment with the College District shall be eligible for payment for accumulated vacation leave under the following conditions and in accordance with DMD(LOCAL):

1. The employee's separation from employment is voluntary, i.e., the employee is retiring or resigning, or being discharged or nonrenewed.
2. Except for employees who are terminated or nonrenewed, the employee must provide advance written notice of intent to separate from employment.

Except for employees who are terminated or nonrenewed, an employee who separates from employment with the College District after providing timely notice of such separation, as provided in this policy, shall be eligible for payment of 50 percent of accumulated sick leave over 480 hours.

The employee shall receive payment for each hour of accumulated vacation leave and for 50 percent of accumulated sick leave over 480 hours at the employees' hourly rate. If the employee is reemployed with the College District, previously accumulated leave hours shall not be available to that employee.

COMPENSATION AND BENEFITS  
LEAVES AND ABSENCES

DEC  
(LOCAL)

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the academic year following the adoption of the rate change.

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

Purpose and Justification – Administration requests the Committee recommend Board approval to adopt new Personnel Policies and retire current policies to align with the Texas Association of School Boards (TASB) policy manual.

The new policies are in the TASB standardized format and contain all, some, or none of the content from the retired policy. In addition to the policy and, as applicable, internal procedures are currently in place and will continue to be enhanced.

The adoption of the new and/or retired policies are as follows:

Adopt New Policy	Retired Policy(ies)	Retired Policy Content Transition
A-1. DEAB (Local) Compensation Plan – Wage and Hour Laws	A-2. Policy #4520: Compensation for Overtime	All of the content from the retired policy is included in the new local policy.
B-1. DJ (Local) Assignment, Work load, and Schedules	B-2. Policy #3800: Full Time Regular Faculty (On Board Approved Staffing Plan) Assignments and Workloads As Conditions of Employment B-3. Policy #3803: Conditions of Employment of Full Time Faculty Teaching During Summer Terms B-4. Policy #3809: Maximum Teaching Load for Adjunct Faculty B-5. Policy 3810: Workload of Employees Retired Under Teacher Retirement System B-6. Policy #4510: Hours of Work	Some of the content from the retired policy is included in both the new local policy and a procedure, handbook, manual, etc.
C-1. DLB (Local) Employee Performance - Suspension	C-2. Policy #4901: Standards of Conduct	All of the content from the retired policy is included in the new local policy.

Adopt New Policy	Retired Policy(ies)	Retired Policy Content Transition
D-1. DM (Local) Termination of Employment	N/A	N/A
E-1. DMAA (Local) Term Contracts – Termination Mid-Contract	E-4. Policy 4901: Standards of Conduct	All of the content from the retired policy is included in the new local policy.

Background – On March 31, 2020, the Board of Trustees approved an interlocal agreement with TASB for Policy Management Service. Throughout FY 2022, FY 2023, and FY 2024, current College board policies will be reviewed, retired, and transitioned into the TASB formatted policies. TASB will then provide a comprehensive, current, and legally sound Policy Manual.

Reviewers – The new and retired policies have been reviewed by staff, administrators, TASB staff, STC Legal Counsel, Faculty Senate, and the Vice President for Finance and Administrative Services.

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

Mary G. Del Paz, Vice President for Finance and Administrative Services, Dr. Zach Suarez, Executive Director for Human Resources and Talent Management, Dr. Anahid Petrosian, Vice President and Provost for Academic Affairs, and Dr. Brett Millan, Associate Vice President for Academic Success and Advancement, will be present at the Committee Meeting to address questions.

It is requested that the Committee recommend Board approval to adopt new Personnel Policies and retire current policies as presented, and which supersedes any previously adopted Board policy.

**Classification of Positions**

The College President or designee shall determine the classification of positions or employees as “exempt” or “nonexempt” for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).

**Exempt**

The College District shall pay employees who are exempt from the overtime pay requirements of the FLSA on a salary basis. The salaries of these employees are intended to cover all hours worked, and the College District shall not make deductions that are prohibited under the FLSA.

An employee who believes deductions have been made from the employee’s salary in violation of this policy should bring the matter to the College District’s attention, through the College District’s complaint policy. [See DGBA] If improper deductions are confirmed, the College District shall reimburse the employee and take steps to ensure future compliance with the FLSA.

**Nonexempt**

Nonexempt employees may be compensated on an hourly basis. Employees who are paid on an hourly basis shall be compensated at one and one-half their regular hourly rate for all hours worked over 40 hours in a workweek.

**Workweek Defined**

For purposes of FLSA compliance, the workweek for College District employees shall be 12:00 a.m. Monday until 11:59 p.m. Sunday .

**Compensation for Overtime**

At the College District’s sole discretion, employees subject to FLSA are entitled to compensation for any hours worked in excess of 40 hours in one week in one of the following ways:

- Compensation at the rate of one and one-half times the employees regular hourly rate of pay for all hours worked in excess of 40 hours in a workweek, or •
- Compensatory time off from work equal to one and one-half times the number of hours worked in excess of 40 hours in any workweek.

Accumulated compensatory time off must be taken no later than the following workweek.

Nonexempt employees are not permitted to work more than 40 hours per week or beyond their scheduled work hours unless authorized, in advance, by the appropriate supervisor. Nonexempt employees may be subject to disciplinary action for working overtime or beyond the approved schedule without advanced approval.

# MANUAL OF POLICY

**Title Compensation for Overtime 4520**

**Legal Authority Approval of the Board of Trustees Page 1 of 2**

**Date Approved by Board As Amended by Board Minute Order dated September 28, 2021**

## **I. Purpose**

South Texas College provides overtime compensation to employees in accordance with the Fair Labor Standards Act and State of Texas statutes.

## **II. Policy**

Employees subject to FLSA are entitled to compensation for any hours worked in excess of 40 hours in one week in one of the following ways:

- Compensation of one and one-half times the employees regular rate of pay for all hours worked in excess of 40 hours in any workweek, or
- Compensatory time off at a rate of one and one-half times for all hours worked in excess of 40 hours in any workweek.

Accumulated compensatory time off must be taken within the work week and no later than the following week.

Requests for overtime work for non-exempt employees may only be authorized by the appropriate supervisor with approval of the President or the President's Designee(s). Exceptions may be granted in emergency situations. All overtime worked must be properly authorized including hours to be worked and an explanation of the reason for the overtime. A report on overtime hours worked by employee will be provided to the President by the Business Office on a monthly basis. Employees working unauthorized hours may be subject to disciplinary action.

The work week begins Sunday at midnight.

## **III. Definitions**

As used in this policy and College procedures, the following definitions apply:

**Compensatory Time Off:** hours during which an employee is not working, which are not counted as hours worked during an applicable workweek or other work period for purposes of overtime compensation and for which the employee is compensated at his/her regular rate.

**Overtime:** working hours in excess of the regularly scheduled 40 hours workweek, for which an employee is compensated at one and one-half times his/her regular rate.

**Employees Subject to FLSA:** A non-exempt employee who is subject to the overtime provisions of the Fair Labor Standards Act of 1938, 29 U.S.C. Secs. 201, et seq. (FLSA) is entitled to compensation for overtime.

**MANUAL OF POLICY**

**Title Compensation for Overtime 4520**

**Legal Authority Approval of the Board of Trustees Page 2 of 2**

**Date Approved by Board As Amended by Board Minute Order dated September 28, 2021**

**IV. History**

Origination Date Approved by Board	November 9, 1995
Dates Amended and Approved by Board	September 15, 2004 September 28, 2021

RETIRED

**Assignment of Personnel**

All employees shall be subject to assignment and reassignment by the College President at any time.

**Hours of Work**

All regular full-time staff, full-time regular faculty and lecturers are required to work the equivalent of 40 hours per week. When necessary, campus offices or departments may be kept open during hours and days outside the typical 8:00 a.m. to 5:00 p.m. Monday through Friday work schedule.

The supervising administrator is responsible for ensuring the 40 hours per week schedule meets the needs of students, department, division, and the College District.

**Full-Time Faculty Workloads and Schedules**

Full-time regular faculty are employees of the college whose primary responsibility is teaching, with additional responsibilities for curriculum development, advising, committee work, and other associated activities. Full-time regular faculty are employees of the College District whose position is included in the Staffing Plan adopted by the Board in conjunction with the College District's fiscal year budget. Lecturers are full-time faculty who are hired on an emergency basis for one or two semesters. Full-time regular faculty and Department/Program Chairs are required to work the equivalent of a 40-hour work week.

The workload includes instruction, office hours, course preparations, community service, advising and mentoring, committee work, curriculum development, and various other College District service activities as assigned.

Full-time regular faculty and lecturers may be required to teach day, evening or weekend classes and at time periods that fall outside the 8 a.m. to 5 p.m. traditional schedule, or dual enrollment courses taught throughout the College District's service area.

Full-time regular faculty and lecturers may be required to teach throughout the College District. If traveling between teaching sites, mileage reimbursement will be available according to College District procedures.

Full-time regular faculty and lecturers must maintain a minimum of five regularly scheduled and posted office hours per instructional week. Office hours, office location, and instructor phone number must be publicized to students through the course handouts/syllabus and must also be posted each semester.

Full-time regular faculty and lecturers must be available for an additional five hours for arranged student conferences, advising, division or department meetings, and committee work and/or departmental responsibilities per instructional week.



Upon approval by the Chair, full-time regular faculty and lecturers may accept an overload up to six Lecture Hour Equivalents (LHE's) each fall or spring semester for additional compensation. The respective Dean must approve any overload over six LHE's. The Vice President and Provost for Academic Affairs must approve any overload over 11 LHEs. Since this is extra work for extra pay, faculty members are expected to perform all regular duties and responsibilities with no degradation in the quality of instruction or services resulting from the overload.

Full-time regular faculty and lecturers are required to attend and participate in scheduled activities during the period of their appointment letter and on the Board-adopted academic calendar which include the dates set as faculty report to work days at the commencement of each semester, graduation, days, professional development, and other days as required by the College District and their type of employment.

Full-time regular faculty and lecturers may participate in "Non-traditional instruction." This includes online instruction, asynchronous instruction, non-classroom recorded telecourses, print or computer-based independent study courses, and courses taught via telecommunications to students at sites other than the location of the faculty.

Teaching  
Expectations

Faculty are expected to teach 30 LHEs per academic year (fall and spring semesters) for each full-time regular faculty member. One lecture hour equals 1 LHE. One laboratory (lab) hour equals 0.67 LHE. The course descriptions in the official college catalog are used to determine the lecture hours and the lab hours for each course. One clinical hour equals 0.80 LHE. The course descriptions in the official college catalog are used to determine the clinical hours for each course.

*Exceptions*

"Overload" refers to additional LHEs above the regular teaching load. These are paid at the adjunct rate. "Underloads" refer to a teaching load of fewer than 15 LHEs per academic semester (fall and spring semesters). Full-time regular faculty with an underload in the fall semester must make up the difference during the spring semester of the same academic year. Full-time regular faculty who do not make up the difference during the spring semester or who have an underload during the spring semester will have their annual pay proportionately reduced by the amount of the underload. "Courseload reduction" refers to releasing faculty members from all or part of their full-time teaching duties.

*Scheduling*

Scheduling of both traditional and non-traditional instructional courses; creating additional sections; assigning, changing, or

reassigning faculty rests with the appropriate Department/Program Chair.

Deans are ultimately responsible for monitoring and managing the workloads of faculty and Department/Program Chairs within their respective Academic Division.

*Summer Terms*

Full-time faculty on nine-month contracts employed during the summer terms are expected to hold office hours. Standards for required office hours will be established by the chief academic officer of the College District and will be published in advance of each summer term.

Faculty employed during the summer terms are not required to participate in other summer college activities unless they are employed under a prorated contract/special assignment during the summer terms or unless they are receiving a Chair stipend during summer terms. Other summer activities are activities that do not pertain directly to the classes being taught but are usually considered to be a required part of each faculty member's responsibility during the regular nine-month contract period (i.e. committee work, registration assistance, student advisement, etc.).

Compensation for full-time regular faculty during summer terms will follow the same pay plan as for overload and adjunct assignments, and are published in the College's Employee Salary Pay Plans.

Full-time regular faculty teaching loads in excess of nine LHE's during each of Summer I or Summer II, or in excess of 12 LHE's in Summer III, must be approved in advance by the Division Dean and the Vice President and Provost for Academic Affairs. Loads of this magnitude during Summer I, II or III will only be approved if no other reasonable alternatives are available.

**Adjunct and Lecturer Faculty**

During the Fall and Spring semesters, the maximum teaching load for adjunct faculty is 10 LHE's per semester. Any teaching assignment above 10 LHE's will require written approval from the Vice President and Provost for Academic Affairs.

During the summer terms, adjunct faculty may teach up to a total of 10 LHE's. This total includes all courses taught during Summer Sessions, I, II, and III. Any teaching assignment above 10 LHE's will require written approval from the Vice President and Provost for Academic Affairs.

During the summer terms, Lecturer faculty who were benefits eligible during the Spring Semester may teach up to 15 LHE's, combined Summer I, II, and III sessions. Lecturers who were not benefits eligible during the Spring Semester may teach up to a total of 10 LHE's. Any teaching assignment above these limits will require

written approval from the Vice President and Provost for Academic Affairs.

Office hour requirements for adjunct faculty during the summer terms will be established by the Vice President and Provost for Academic Affairs.

**Retired Faculty**

Teachers Retirement System (TRS)

Individuals who are retired and receiving retirement benefits from the Teachers Retirement System of Texas (TRS) may be employed to teach no more than one-half the instructional load of a full-time faculty member. The instructional load shall be calculated on the basis of the semester hour load of a full-time faculty member.

TRS return-to-work retirees who teach more than half-time will be subject to TRS rules. All employment of return-to-work retirees shall be reported to TRS.

Optional Retirement Program (TRS)

Individuals who are retired and receiving retirement benefits from the Optional Retirement Program (ORP) may be employed to teach more than one-half the instructional load of a full-time faculty member.

## MANUAL OF POLICY

<b>Title</b>	<b>Full Time Regular Faculty (On Board Approved Staffing Plan) Assignments and Workloads As Conditions of Employment</b>	<b>3800</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 1 of 2</b>
<b>Date Approved by Board</b>	<b>Board Minute Order dated November 9, 1995 As Amended by Board Minute Order dated June 24, 2004 As Amended by Board Minute Order dated July 28, 2005 As Amended by Board Minute Order dated August 22, 2011 As Amended by Board Minute Order dated March 31, 2015</b>	

Full-time regular faculty are employees of the college whose primary responsibility is teaching, with additional responsibility for curriculum development, advisement, committee work, and other associated activities. Full time regular faculty are employees of the College whose position is included in the Staffing Plan adopted by the Board of Trustees in conjunction with the College's fiscal year budget. Full time regular faculty and Department/Program Chairs are required to work the equivalent of a 40-hour work week.

1. The workload includes instruction, office hours, course preparations, community service, advising and mentoring, committee work, curriculum development, and various other College service activities as assigned.
2. Full-time regular faculty may be required to teach day, evening or weekend classes and at time periods that fall outside the 8 a.m. to 5 p.m. traditional schedule, or dual enrollment courses taught throughout the College's service area.
3. Full-time regular faculty may be required to teach throughout the College district. If traveling from their "home-base" to another teaching site, mileage reimbursement will be available according to College procedures. Home base for faculty is designated by the respective Dean.
4. Full-time regular faculty must maintain a minimum of 5 regularly scheduled and posted office hours per instructional week. Office hours, office location, and instructor phone number must be publicized to students through the course handouts/syllabus and must also be posted each semester.
5. Full-time regular faculty must be available for an additional 5 hours for arranged student conferences, advising, division or department meetings, and committee work and/or departmental responsibilities per instructional week.
6. Upon approval by the Chair, full-time regular faculty may accept an overload up to six (6) Lecture Hour Equivalents (LHE's) each fall or spring semester for additional compensation. The respective Dean must approve any overload over 6 LHE's. The Vice President for Academic Affairs must approve any overload over 11 LHEs. Since this is extra work for extra pay, faculty members are expected to perform all regular duties and responsibilities with no degradation in the quality of instruction or services resulting from the overload.
7. Full-time regular faculty are required to attend and participate in scheduled activities during the period of their appointment letter and on the Board-adopted academic calendar which include the dates set as faculty report to work days at the commencement of each semester, graduation, days, professional development, and other days as required by the College.
8. Expectations of full-time regular faculty teaching during summer term are established in Policy 3803.

## MANUAL OF POLICY

<b>Title</b>	<b>Full Time Regular Faculty (On Board Approved Staffing Plan) Assignments and Workloads As Conditions of Employment</b>	<b>3800</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 2 of 2</b>

9. Full-time regular faculty may participate in "Non-traditional instruction." This includes online instruction, asynchronous instruction, non-classroom recorded telecourses, print or computer-based independent study courses, and courses taught via telecommunications to students at sites other than the location of the faculty.

### **Teaching Expectations**

30 Lecture Hour Equivalents (LHEs) per academic year (fall and spring semesters) for each full-time regular faculty member

- One lecture hour equals 1 Lecture Hour Equivalent (LHE)
- One laboratory (*lab*) hour equals 0.67 *LHE*. The course descriptions in the official college catalog are used to determine the lecture hours and the lab hours for each course.

### **Exceptions**

"Overload" refers to additional LHEs above the regular teaching load. These are paid at the adjunct rate.

"Underloads" refer to a teaching load of less than 15 LHEs per academic semester (fall and spring semesters). Full time regular faculty with an underload in the fall semester must make up the difference during the spring semester of the same academic year. Full time regular faculty who do not make up the difference during the spring semester or who have an underload during the spring semester will have their annual pay proportionately reduced by the amount of the underload.

"Courseload reduction" refers to releasing faculty members from all or part of their full-time teaching duties.

### **Scheduling**

Scheduling of both traditional and non-traditional instructional courses; creating additional sections; assigning, changing, or reassigning faculty rests with the appropriate Department/Program Chair.

Deans are ultimately responsible for monitoring and managing the workloads of faculty and Department/Program Chairs within their respective Academic Division.



## MANUAL OF POLICY

<b>Title</b>	<b>Maximum Teaching Load for Adjunct Faculty</b>	<b>3809</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	
<b>Date Approved by Board</b>	<b>Board Minute Order dated March 21, 1996 As Amended by Board Minute Order dated August 16, 2001</b>	

During the Fall and Spring semesters, the maximum teaching load for adjunct faculty will be no more than 10 LHE's (Lecture Hour Equivalents as defined in the Faculty Handbook) per semester. Any teaching assignment above 10 LHE's will require written approval from the Vice President for Academic Affairs.

During the summer, adjunct faculty may teach up to a total of 10 LHE's. This total includes all courses taught during Summer Sessions, I, II, and III. Any teaching assignment above 10 LHE's will require written approval from the Vice President for Academic Affairs.

Office hour requirements for adjunct faculty will be established by the Vice President for Academic Affairs.

RETIRED





## MANUAL OF POLICY

<b>Title</b>	<b>Hours of Work</b>	<b>4510</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 As Amended by Board Minute Order dated August 19, 2004</b>	

All regular full-time staff and 9-month faculty are required to work the equivalent of 40 hours per week. When necessary, campus offices or departments may be kept open during hours and days outside the typical 8:00 a.m. to 5:00 p.m. Monday through Friday work schedule.

The supervising administrator is responsible for scheduling the 40 hours per week schedule based on the needs of students, the office or department.

RETIRED

<b>At-Will Employees</b>	<p>An at-will employee may be suspended by the College President or designee during an investigation of alleged misconduct by the employee or at any time the College District determines that the suspension will serve the College District's best interest.</p> <p>An at-will employee shall not be paid while serving a suspension unless required by law.</p>
<b>Term Contract Employees</b>	<p>A term contract employee may be suspended with pay and placed on administrative leave by the College President during an investigation of alleged misconduct by the employee or at any time the College President determines that the College District's best interest will be served by the suspension.</p>
Suspension with Pay	
Suspension without Pay	<p>A term contract employee may be suspended without pay for good cause as determined by the College President following a hearing held for that purpose in accordance with the procedures applicable during the contract term of an employee [see DMAA(LEGAL)].</p>

## MANUAL OF POLICY

<b>Title</b>	<b>Standards of Conduct</b>	<b>4901</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 January 31, 2017</b>	

Employees of South Texas College are expected to adhere to all federal, state, and municipal laws and ordinances. Employees shall also adhere to all College policies and procedures, as well as other guidelines and rules of all regulating agencies or entities having jurisdiction over college activities. Employees of South Texas College are expected to conduct themselves in a professional, courteous, respectful, and ethical manner in the performance of their duties and responsibilities, and in their interaction with colleagues, students, and the general public.

An employee who engages in conduct prohibited by this policy shall be subject to disciplinary action and/or other adverse personnel action, including termination. The decision to discipline an employee should be made in accordance with Policy #4911 Disciplinary Action Procedures.

The prohibited conduct described by this policy is intended as a general guide for employees to follow, it is not intended as an exhaustive description of all the types of conduct that is prohibited and subject to sanction.

South Texas College employees shall be prohibited from engaging in conduct, including, but not limited to:

1. Providing false or altering to falsify information on a time sheet, an employment application, a transcript, a resume, a travel voucher, a purchase order, a student grade record, any report, a payroll record or of any other official record of the College;
2. Violating workplace health or safety rules or accepted safety practices; and creating or contributing to unhealthy or unsanitary conditions in the workplace;
3. Soliciting or accepting any prohibited gift, favor, service, or benefit from any vendor to the College, or soliciting or accepting a bribe;
4. Conducting private business during working hours, regardless of whether it is for profit or not, and regardless of whether or not it interferes with assigned duties and responsibilities;
5. Using or misappropriating work time or College property or resources for personal gain or benefit;
6. Smoking anywhere except in a designated smoking area;
7. Gambling or participating in any games of chance on the College premises at any time;
8. Soliciting, collecting money or circulating petitions on the premises other than within the rules and regulations of the College;
9. Unlawful possession, selling, distributing, or offering and/or consuming alcoholic beverages, illicit drugs, illegal narcotics, hallucinogens, drug paraphernalia, or other illegal intoxicants, drugs, or controlled substances on College premises at anytime or while on duty at any location;
10. Unlawful possessing, selling, distributing, or offering illicit drugs, illegal narcotics, hallucinogens, drug paraphernalia, or other illegal intoxicants, drugs, or controlled substances at anytime.

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**Title**

**Standards of Conduct**

**4901**

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11. Failure or refusal to follow work-related directives from supervisors; or to perform designated work that is part of an employee's job duties and responsibilities;
12. Sabotaging, impeding, impairing, and/or disrupting the function of the workplace;
13. Neglect of duty, cyberloafing, loitering or wasting time during working hours; or failure to meet a reasonable and objective measure of efficiency and productivity;
14. Engaging in any conduct within or outside the course and scope of employment with the College which tends to impugn the employee's moral character or professional reputation, or if such conduct tends to tarnish or bring into disrepute the College's image in the community;
15. Intentional, reckless, or negligent conduct that results in personal injury to a student, College employee, or other person while on work duty with the College;
16. Actual or constructive possession on College premise of materials, photographs, video-recordings, drawings or other similar visual illustrations of a pornographic nature that are not a bona-fide part of an approved College course being taught by the employee;
17. Engaging in any conduct with any student, any employee of the College, or any other person if the conduct is offensive, inappropriate, indecent, insulting, physically threatening, and/or humiliating;
18. Making statements or remarks that are derogatory, demeaning, or denigrating of another person on the basis of race, color, national origin, religion, age, sex, sexual orientation, gender, gender identity, disability, or any other protected class;
19. Engaging in dishonest or unethical acts;
20. Inducing, encouraging, soliciting, or compelling any person to engage in any conduct that is criminal in nature, dishonest, insubordinate, offensive, vulgar, or which violates any board policy;
21. Fighting, instigating a fight, threatening or attempting bodily harm or injury to another;
22. Negligent or intentional unauthorized disclosure of information maintained by the College if the information is exempt from disclosure under any law; including, but not limited to, the Texas Public Information Act; Family Educational Rights and Privacy Act; or Freedom of Information Act;
23. Creating a condition or engaging in conduct that creates an unreasonable risk of injury to the individual, students, fellow employees, or members of public;
24. Participating in any purchase or acquisition of goods or services in which the employee has a conflict of interest;
25. Unauthorized or repeated tardiness or absence, or excessive use or abuse of sick or other leave privileges;
26. Unlawful possession or storage of a prohibited firearm or other prohibited weapon on College premises;
27. Failure to comply with the College's policy on prohibition of weapons;

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**Standards of Conduct**

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28. Making misrepresentations or providing misleading work-related information to supervisors, co-workers, regulatory bodies, or funding agencies.
29. Engaging in conduct that is prohibited by other College policies;
30. Violating departmental procedures, rules or regulations, or College policies;
31. Failing to comply with purchasing or hiring policies, rules, or regulations of the College;
32. Bringing children on College premises during employee's working hours in lieu of childcare arrangements; or
33. Other acts of misconduct as determined by Administration to be prohibited.

The decision to discipline an employee should be made in accordance with Policy #4911: Disciplinary Action Procedures.

This policy is not intended to create any property interest in continued employment.

RETIRED

TERMINATION OF EMPLOYMENT

DM  
(LOCAL)

**At-Will Employees**

At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the College District.

**Grounds for Termination**

A term contract employee may be terminated during the contract term for good cause as determined by the College President.

**Time Limits**

Time limits stated in this policy shall not include Saturdays, Sundays, or state and federal holidays. "Day" is defined as a College District business day.

**Notice**

Before an employee employed under a term contract may be terminated, the College President must notify the term contract employee in writing of the proposed action and the grounds for the action.

**Reasons for Termination**

Any employee employed under a term contract may be terminated during the term of the contract for good cause. Good cause includes, but is not limited to, the following:

1. Providing false or altering to falsify information on a time-sheet, an employment application, a transcript, a resume, a travel voucher, a purchase order, a student grade record, any report, a payroll record or of any other official record of the College District;
2. Violating workplace health or safety rules or accepted safety practices; and creating or contributing to unhealthy or unsanitary conditions in the workplace;
3. Soliciting or accepting any prohibited gift, favor, service, or benefit from any vendor to the College District, or soliciting or accepting a bribe;
4. Conducting personal business and activities during working hours, regardless of whether it is for profit or not, and regardless of whether or not it interferes with assigned duties and responsibilities;
5. Using or misappropriating work time or College District property or resources for personal gain or benefit;
6. Smoking anywhere except in a designated smoking area;
7. Gambling or participating in any games of chance on the College District premises at any time;
8. Soliciting, collecting money or circulating petitions on the premises other than within the rules and regulations of the College District;

9. Unlawful possession, selling, distributing, or offering and/or consuming alcoholic beverages, illicit drugs, illegal narcotics, hallucinogens, drug paraphernalia, or other illegal intoxicants, drugs, or controlled substances on College District premises at anytime or while on duty at any location;
10. Unlawful possessing, selling, distributing, or offering illicit drugs, illegal narcotics, hallucinogens, drug paraphernalia, or other illegal intoxicants, drugs, or controlled substances at anytime.
11. Failure or refusal to follow work-related directives from supervisors; or to perform designated work that is part of an employee's job duties and responsibilities;
12. Sabotaging, impeding, impairing, and/or disrupting the function of the workplace;
13. Neglect of duty, cyberloafing, loitering or wasting time during working hours; or failure to meet a reasonable and objective measure of efficiency and productivity;
14. Engaging in any conduct within or outside the course and scope of employment with the College District which tends to impugn the employee's moral character or professional reputation, or if such conduct tends to tarnish or bring into disrepute the College District's image in the community;
15. Intentional, reckless, or negligent conduct that results in personal injury to a student, College District employee, or other person while on work duty with the College District;
16. Actual or constructive possession on College District premise of materials, photographs, video-recordings, drawings or other similar visual illustrations of a pornographic nature that are not a bona-fide part of an approved College District course being taught by the employee;
17. Engaging in any conduct with any student, any employee of the College District, or any other person if the conduct is objectively offensive, inappropriate, indecent, insulting, physically threatening, and/or humiliating;
18. Making statements or remarks that are derogatory, demeaning, or denigrating of another person on the basis of race, color, national origin, religion, age, sex, sexual orientation, gender, gender identity, disability, or any other protected class;
19. Engaging in dishonest or unethical acts;



20. Inducing, encouraging, soliciting, or compelling any person to engage in any conduct that is criminal in nature, dishonest, insubordinate, offensive, vulgar, or which violates any board policy;
21. Fighting, instigating a fight, threatening or attempting bodily harm or injury to another;
22. Negligent or intentional unauthorized disclosure of information maintained by the College District if the information is exempt from disclosure under any law; including, but not limited to, the Texas Public Information Act; Family Educational Rights and Privacy Act; or Freedom of Information Act;
23. Creating a condition or engaging in conduct that creates an unreasonable risk of injury to the individual, students, fellow employees, or members of public;
24. Participating in any purchase or acquisition of goods or services in which the employee has a conflict of interest;
25. Unauthorized or repeated tardiness or absence, or excessive use or abuse of sick or other leave privileges;
26. Unlawful possession or storage of a prohibited firearm or other prohibited weapon on College District premises;
27. Failure to comply with the College District's policy on prohibition of weapons;
28. Making misrepresentations or providing misleading work-related information to supervisors, co-workers, regulatory bodies, or funding agencies.
29. Engaging in conduct that is prohibited by other College District policies;
30. Violating departmental procedures, rules or regulations, or College District policies;
31. Failing to comply with purchasing or hiring policies, rules, or regulations of the College District;
32. Bringing children on College District premises during employee's working hours in lieu of childcare arrangements; or
33. Other acts of misconduct as determined by Administration to be prohibited.
34. Financial Exigency - any decline in the College District's financial resources brought about by a decline in enrollment, cuts in funding, in tax revenues, or any other actions or

events that create a need for the College District to reduce financial expenditures for personnel.

35. Program Change - any elimination, curtailment, or reorganization of a curriculum offering, legislative revisions to program funding, or a reorganization or consolidation of two or more programs.

### Hearing

If an employee employed under a term contract desires a hearing after receiving notice of the proposed termination, or proposed suspension without pay, the term contract employee shall notify the College President in writing not later than the 10th business day after the date that the term contract employee receives the notice of the proposed action. A faculty member who requests a hearing may simultaneously submit a grievance, in writing, to the College President on an issue related to the nonrenewal or termination of the faculty member's employment for the College President's consideration at the hearing. The College President shall schedule a hearing to be held not later than the 20th business day after the date the College President receives the request for a hearing unless the parties agree in writing to a different date.

At the hearing, the term contract employee may:

1. Be represented by legal counsel or a representative of the term contract employee's choice;
2. Hear the evidence supporting the reason for the proposed action;
3. Call witnesses;
4. Cross-examine witnesses; and
5. Present evidence; and
6. Additionally, a faculty member who is being terminated may present evidence on any grievance submitted to College President on any issue related to the termination of the faculty member's employment.

Decision of the  
College President

If the term contract employee does not request a hearing, the College President shall:

1. Proceed to take the appropriate action to terminate the employee's contract or suspend the term contract employee without pay without further notice to the term contract employee before taking such action; and

2. Notify the term contract employee in writing of that action not later than the 20th business day after the date the notice of proposed action was sent to the term contract employee.

If the term contract employee requests a hearing, following the hearing the College President shall notify the term contract employee in writing of that action not later than the 15th business day after the date on which the hearing is concluded.

The decision of the College President is final and non-appealable.

Term Contract  
Faculty Members

Alternatively, to the hearing process outlined in this policy, a faculty member, as defined by Education Code 51.960, may forego a request for a hearing on the matter of the proposed termination and only present a grievance under Section 51.960 to the College President or designee, on an issue related to the faculty member's termination. The faculty member shall present the grievance within ten business days after receiving the notice of termination.

Once a grievance has been filed with the College President, the conference shall be scheduled within seven business days. The decision of the College President shall be final and non-appealable.

**Policy Guidelines**

A term contract employee terminated for cause will not be eligible for reemployment with the College District.

This policy is not intended to create any property interest in continued employment.