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Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

January 18, 2018

The Board of Trustees of the Texas Southmost College District convened in open session on January 18, 2018, at 5:31 p.m., in the Gorgas Board Room at Texas Southmost College. Board Members present were Adela Garza, Chair; Ruben Herrera, Secretary; Dr. Reynaldo García, Art Rendon, Dr. Tony Zavaleta and Dr. Ruben Gallegos. Also present was Dr. Jesus Roberto Rodríguez, President of Texas Southmost College. Absent was Trey Mendez, Vice Chair.

1. Call to Order

The meeting was called to order by Chair, Mrs. Garza, at 5:31 p.m.

2. Pledges of Allegiance

Dr. Zavaleta led the United States Pledge of Allegiance and the Texas Pledge of Allegiance.

3. Public Comment

Mr. Gene Fernandez, with the Brownsville Historical Association, addressed the Board by recognizing and thanking TSC for having granted guardianship of the Hunter Room archives to the Brownsville Historical Association. He also provided the Board with a copy of the Action Plan that he developed for processing and moving items in the Hunter Room Collection.

4. Consideration and Approval of the Minutes of the Regular Meeting of December 13, 2017 and the Special Meeting of December 18, 2017

**Consideration and Approval of the
Minutes of the Regular Meeting of December 13, 2017
and the Special Meeting of December 18, 2017**

A motion was made by Mr. Rendon to Approve the Minutes of the Regular Meeting of December 13, 2017 and the Special Meeting of December 18, 2017. The motion was seconded by Mr. Herrera and carried unanimously.

5. President's Report

Mrs. Garza called on Dr. Rodríguez to give the report. Dr. Rodríguez reported that the total enrollment for spring 2018 is currently 6,675 students, an approximate increase of 23% over the spring 2017 enrollment of 5,394 students. This represents 1,281 additional students. He stated that on-campus enrollment is 3,379 students, a 5.07% increase over the spring 2017 on-campus enrollment of 3,216 students, and that the Dual and Early College High School enrollment is 3,296 students, a 51% increase over the spring 2017 enrollment of 2,178.

Dr. Rodríguez stated that enrollment is not certified until the 12th class date, which is January 31. Current trends indicate that TSC will outperform projected estimates for the spring 2018 semester. Furthermore, the spring 2018 overall enrollment is projected to surpass the fall 2017 overall enrollment, which is a strong indication that TSC is heading in the right direction. He thanked the campus community and the community partners for their efforts and support in getting TSC to this point.

Dr. Rodríguez reported that on December of 2015, the Emergency Medical Science (EMS) Program, prepared and submitted a self-study report to the Committee on Accreditation of the Educational Programs for the Emergency Medical Professions (CoAEMSP). On December 2016, representatives of the organization visited TSC for an on-site review of the program.

He was pleased to report that TSC received notice that the EMS Program has been granted accreditation by the Commission on Accreditation of Allied

Health Education Programs (CAAHEP) on the recommendation by the Committee on Accreditation of the Educational Programs for the Emergency Medical Professions. This accreditation replaces the Letter of Review that has been held by the Texas Southmost College EMS Program since the separation of UTB/TSC. Furthermore, this accreditation is valid through January 2023.

He congratulated Mr. Scott Nelson, Acting Dean of Health Professions, and his team on this achievement.

On January 26, administration will be attending the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Orientation for the Class of 2020. The orientation will provide TSC with information regarding changes to the SACSCOC Principles of Accreditation, and will be critical to the preparation of the compliance certification document related to the re-affirmation of accreditation that is due March 2019.

Dr. Rodriguez next presented a brief video highlighting the following activities:

- Tree Lighting Ceremony
- TSC Fine Arts Gallery Grand Opening
- TSC Employee Holiday Luncheon
- IME BECAS MOU and Check Presentation
- TSC Santa at the Mall
- Angel Tree Toy Drive for J.T. Canales Elementary
- TSC Santa visits Raul J. Guerra Early Childhood Center
- LVN Pinning Ceremony
- Scorpion Registration Rally
- Mr. Amigo Announcement and Poster Reveal
- Convocation and Strategic Planning
- Fall 2017 Commencement Ceremonies

In addition, over the Winter Break, Mr. Daniel De Leon, Chief Information Officer, and the team from Dynamic Campus, led a migration of Colleague data from an older Unidata server to a new Structured Query Language (SQL) server. He called on Mr. De Leon to provide a brief explanation of the migration process.

Mr. De Leon addressed the Board and shared a brief update on the migration process. Mr. De Leon stated that the Dynamic Campus Staff migrated TSC's Colleague environment to SQL over the Winter Break and all College operations are functional. This conversion of our system migrated all official and academic records from reporting to the Texas Higher Education Coordinating Board, student transcripts, financial records and employment records. They also updated hardware and software that was required for the system to function.

Dr. Rodríguez added that the migration was a monumental task and recognized the TSC staff that assisted in the migration with a Certificate of Appreciation – Student Services: Ana de la Garza, Lupita Castillo-Medellin, Gina Salinas, Maricela Zepeda, Cherie Gallardo, Alex Salinas, Mary Juarez, and Christian Torres; from Finance and Administration: Berta Orive, Zoila Vasquez, Claudia Cortina, Margarita Vargas, Marcela Juarez, Sally Vela, Gloria Parra, Carlos Pecero, Lee Ramirez, Patricia Saldivar and Nilda Mora; and from Human Resources: Kim Sanchez and Jose Rivera.

6. Letter of Confidence on the Appointment of Eugene Fernandez as Curator of the Texas Southmost College Special Library

Mrs. Garza called on Dr. Zavaleta to present the item. Dr. Zavaleta shared the history behind the Texas Southmost College Special Library and its importance to the College and Brownsville. He stated that TSC has recently decided to entrust the Hunter collection in the Oliveira Student Services Building to the Brownsville Historical Association. Dr. Zavaleta has asked the Board for support in appointing Mr. Eugene Fernandez as Curator for the TSC Special Library archives.

Mr. Herrera stated that he had a concern in supporting the responsibility of the TSC Board to appoint a specific Curator to the Brownsville Historical Association.

Dr. Zavaleta stated that he is asking the Board to have a representative for Texas Southmost College who is responsible to TSC for the collection. He called on Ms. Tara Putegnat, Executive Director of Brownsville Historical Association (BHA), to further explain. She stated that the item has not gone before the BHA Board. She stated that she would bring this item back for consideration after the BHA Board has reviewed the request.

A motion was made by Dr. Gallegos to table the Letter of Confidence on the Appointment of Eugene Fernandez as Curator of the Texas Southmost College Special Library. The motion was seconded by Dr. Zavaleta and carried unanimously.

7. Budget/Finance Subcommittee Report

Mrs. Garza called on Dr. Zavaleta to make the report. Dr. Zavaleta stated that the Budget/Finance Subcommittee met on January 10, 2018, and was chaired by Mr. Herrera in his absence with Ms. Garza also present.

**Consideration and Possible Action
on the Notice of Grant Awards**

Dr. Zavaleta called on Dr. Angelica Fuentes, Associate Vice President of Instruction for Academic Success, to present item 7a. Notice of Grant Awards. Dr. Fuentes presented the first grant, the Humanities Texas Grant for \$1,000. This grant was obtained by Mr. Juan Antonio Gonzalez, Spanish Instructor. The \$1,000 will help sponsor the Sixteenth Bi-National Literacy Conference, which was held November 17, 2017, and will reimburse TSC for an honorarium that was paid.

She stated that the second Grant is a \$20,000 grant from the Texas Success Center with the Texas Association of Community Colleges. This grant is a "pay for performance" grant. TSC will identify "at risk" dual credit students in certain courses to participate.

Dr. Fuentes said that the next grant is from the Texas Workforce Commission Skills Development Grant for over \$360,000. This grant will support the partnership between TSC and CK Technology to train approximately 196 employees.

The last grant is a pre-award and notice in the amount of \$225,000 from the National Science Foundation Advance Technology Education. The grant will be used to explore the possibility of Bio Technology Programs.

A motion was made by Dr. Gallegos for approval of 7a. Humanities Texas Grant, Texas Association of Community Colleges Texas Success Center-Career Pathways Project Grant, Texas Workforce Commission Skills Development Fund Grant and National Science Foundation Advanced Technological Education Grant. The motion was seconded by Mr. Herrera and carried unanimously.

Consideration and Possible Action on the Texas Southmost College Child Care Agreement with Workforce Solutions Cameron

Dr. Zavaleta called on Mrs. Marisela Nava, Child Care Manager, to present item 7b. Texas Southmost College Child Care Agreement with Workforce Solutions Cameron. Mrs. Nava proceeded by stating that TSC is requesting approval of the proposed Workforce Solutions Cameron childcare local agreement match as presented, which would help secure additional childcare funds for the TSC lab school.

A motion was made by Mr. Herrera to Approve the Texas Southmost College Child Care Agreement with Workforce Solutions Cameron. The motion was seconded by Dr. Gallegos and carried unanimously.

Consideration and Possible Action on the Workforce Training and Continuing Education Salary Schedule for Fiscal Year 2018

Dr. Zavaleta called on Mrs. Lissa Frausto, Chief Human Resources Officer, to present item 7c. Workforce Training and Continuing Education Salary Schedule for Fiscal Year 2018.

Mrs. Frausto began by stating that in June 2017, TSC hired MGT Consulting Group (MGT) to conduct a market survey to generate a salary data comparison. MGT collected data using thirty-eight workforce positions to help develop a current competitive pay plan model for the TSC Workforce.

Mrs. Frausto explained that in the current salary schedule, TSC has a pay plan for the workforce but it is not competitive. Dr. Joanna Kile, Vice President of Instruction, explained that the hourly schedule provided in the Board packets are for Adjunct Instructors who will be teaching in the Continuing Education and Customized Training Courses. The current salary schedule has three levels and is not competitive with other colleges and industries.

Dr. Rodríguez stated that TSC is trying to be competitive with Adjuncts in areas of high demand for workforce training. Dr. Kile shared an example of what TSC pays an instructor versus what the market says an instructor should be making.

A motion was made by Mr. Herrera to Approve the Workforce Training and Continuing Education Salary Schedule for Fiscal year 2018. The motion was seconded by Mr. Rendon and carried unanimously.

Dr. Zavaleta called on Dr. Kile to present this item 7d. to purchase an Inverter Resistance Spot Welder for the Auto Body Repair program and establishing O'Reilly Auto Parts as a preferred vendor for Fiscal Year 2018.

Dr. Kile called on Dr. Fuentes to present the item. Dr. Fuentes stated that the use of the Inverter Resistance Spot Welder would be by students in the second semester program of the Auto Body Repair program. TSC is currently using a portable Spot Welder, but it is not comparable to what the industry is using. There were quotes obtained from three vendors, with O'Reilly Auto Parts submitting the lowest quote for \$24,052. In addition, administration recommends establishing O'Reilly Auto Parts as a preferred vendor for fiscal year 2018. TSC was able to obtain Carl Perkins funds of \$25,000 for the purchase.

A motion was made by Mr. Herrera to Approve the Purchase of an Inverter Resistance Spot Welder for the Auto Body Repair Program and to establish O'Reilly Auto Parts as a preferred vendor for Fiscal Year 2018. The motion was seconded by Dr. Zavaleta and carried unanimously.

**Consideration and Possible Action on the following
Election-Related items: Resolution to Hold Joint Elections,
Contract with Cameron County Elections Administrator and
Setting Date and Time for Drawing for Place on Ballot**

Dr. Zavaleta called on Mr. Edgar Chrnko-Salas, Director of Marketing and Community Relations and TSC's District Election Agent, to present the item. Mr. Chrnko-Salas stated that TSC early voting for the TSC District Trustee Positions 6 and 7 will be held April 23 to May 1, 2018, and regular voting on May 5, 2018. Adopting the joint resolution between TSC and the

Brownsville Navigation District to conduct early and regular voting would result in a cost reduction for each entity. The recommendation is to adopt the resolution to hold joint elections as presented.

A motion was made by Dr. Gallegos to Adopt the Resolution to Hold Joint Elections, as presented. The motion was seconded by Mr. Rendon and carried unanimously.

Mr. Chrnko-Salas presented the second item to approve the Contract with the Cameron County Elections Administrator for election services. He stated, as approved by the Board of Trustees on December 13, 2017, the TSC District will hold elections on May 5, 2018, for positions 6 and 7. The estimated cost for the May 5 election is either \$82,890.15 or \$165,823.98, depending if TSC will be holding a joint election.

A motion was made by Mr. Herrera to Approve the Contract with Cameron County Elections Administrator to conduct Election Services on May 5, 2018 and to Authorize the TSC President and the District Election Agent to execute the contract. The motion was seconded by Mr. Rendon and carried unanimously.

Mr. Chrnko-Salas presented the last item, the setting of a date and time for the drawing for a place on the ballot that is required by Texas Selection Code Chapter 52, which states the order of a candidate name on a ballot shall be determined by a drawing. TSC is recommending to hold the drawing on Tuesday, February 27, 2018, at 5:30pm at the Gorgas Hall Board Room.

A motion was made by Mr. Herrera to Approve the holding of the drawing on Tuesday, February 27, 2018, at 5:30 p.m., at the Gorgas Hall Board Room. The motion was seconded by Mr. Rendon and was carried unanimously.

8. Academic Subcommittee Report

Mr. Herrera stated that the Academic Subcommittee met on January 10, 2018, to discuss the following items:

Update on the Associate Degree of Nursing Program

Mr. Herrera called on Dr. Kile to present this item. Dr. Kile announced that on December 8, 2017, TSC had interviews for the Associate Degree of Nursing (ADN) Director position. A contract was extended with a contingency clause of informal approval of credentials by the Texas Board of Nursing. The Texas Board of Nursing did not see any issues with the credentials. The candidate has experience as a Program Director in Nursing, Clinical Coordinator in Nursing and extensive background in simulation.

Report on the Commission on Accreditation for Respiratory (CoARC) Notification to Respiratory Therapy Program

Dr. Kile stated that TSC received a citation from the Commission on Accreditation for Respiratory Care regarding the respiratory therapy program. TSC received a citation electronically on December 1, 2017, stating that the TSC Respiratory Care Sciences Program was deficient for Standard 3.09. The standard has to do with the number of students that pass the Certified Respiratory Therapist (CRT) exam following graduation. The threshold is 80%, and CoARC takes an average of three years, during which 80% of the students must pass the test. The average for 2014, 2015, and 2016, was 77.8%.

Mr. Scott Nelson, Program Director of EMS and Acting Dean of Health Professions, stated that TSC was aware of the deficiency and have made several changes to address the situation. He stated that every year in November TSC will be notified for the previous three years if there were any deficiencies.

Dr. Kile stated that the program is accredited, but did receive a citation. TSC was required to submit an action plan to address the deficiencies by January 20, 2018. This was approved by the President and was sent to CoARC. A progress report will be required to be submitted on September 20, 2018. If the program demonstrates that it is in compliance with an 80% pass rate, the citation will be cleared. If TSC does not demonstrate compliance, CoARC can either request an additional progress report or they can confer a probationary accreditation status on TSC.

Dr. Kile stated that if TSC receives probationary accreditation, it would be for a maximum duration of two years or two graduation cycles. In the third

year, if TSC still has not raised the levels for any three-year repeating cycle that was deficient, then CoARC can voluntarily withdraw TSC accreditation or withhold the accreditation. This means TSC would be forced into a teach-out situation, while in the teach-out the students would be graduating under an accredited program.

Mr. Herrera was concerned about the students paying for the exam and not having enough funding for the exam. Dr. Kile stated for the students entering in fall 2018, administration will be asking the Board to increase the fees for those students to spread the cost of the exam over the four-semester period. At the end of graduation, TSC will issue a voucher for the students to take the exam within forty-five days.

Dr. Rodríguez stated that the current students could be provided with funding from the Carl Perkins grant. He stated that the issue TSC is currently having is with the 2016 graduates who are now TSC Alumni, but funding was not available for them to pay for the exam. He also shared that a donor, Dr. Ruben Gallegos, was generous enough to give TSC a \$10,000 donation and designate a portion of that amount to support alumni who need to take a state or national exam and cannot afford the cost of these exams. Dr. Kile mentioned that seven students who graduated in 2016 and 2017 would be able to benefit from this scholarship.

Consideration and Possible Action on the revision to the 2017-2018 Tuition and Fees Table to address House Bill 2223

Mr. Herrera called on Dr. Fuentes to present the item. Dr. Fuentes stated that in the summer 2017, House Bill 2223 was passed. Prior to this, TSC did not receive any state funding for students who took more than 27 hours of developmental education. This summer, it changed to 18 hours, with the exception of English for Speakers of Other Languages (ESOL) courses. The recommendation is to change the wording on the TSC Tuition and Fees Table.

A motion was made by Mr. Herrera to approve the revision to the 2017-2018 Tuition and Fees Table to address House Bill 2223, as presented. The motion was seconded by Mr. Rendon and carried unanimously.

9. Report on the First Quarter Investment Report for Fiscal Year 2017

Mrs. Garza called on Mr. Santos Alarcon, Vice President of Finance and Administration, to give the report. Mr. Alarcon reported, detailing the expenditures, procedures and financial status for the College in accordance with the Public Funds Investment Act.

10. Report on the Monthly Financial Statement for the Month Ending October 31, 2017 and November 30, 2017

Mrs. Garza called on Mr. Carlos Pecero, Controller, to present the item. Mr. Pecero gave a brief presentation regarding the budget to actuals report for the month ending October 31, 2017 through November 30, 2017.

11. Executive Session

The Board convened in Executive Session at 7:23 p.m.

The Board reconvened in Regular Session at 8:37 p.m.

12. Action on Executive Session Matters

**Consultation with Attorney on
Pending or Contemplated Litigation, Section
551.071, Texas Government Code.**

A motion was made by Mr. Herrera to retain the services of the Law Firm of Esparza & Garza of Brownsville, Texas, to prosecute TSC's claims against The Klement Agency and others to seek any damages that may be owed to TSC, The Board finds that (1) there is a substantial need for the legal services; (2) the legal services cannot be adequately performed by the attorneys and supporting personnel of the state governmental entity or by the attorneys and supporting personnel of another state governmental entity; and (3) the legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, or because the state governmental entity does not have appropriated funds available to

pay the estimated amounts required under a contract providing only for the payment of hourly fees and for TSC legal counsel to take the necessary action to protect any statute of limitations in this case. The motion was seconded by Mr. Rendon. Dr. García and Dr. Gallegos abstained from voting. Motion passed.

**Consultation with Attorney on
Pending Real Estate Issues, Section
551.072, Texas Government Code.**

A motion was made by Mr. Rendon that the Board of Trustees direct President Jesus Roberto Rodriguez to pursue the option with the U.S. Department of Education in abrogating the educational restrictions of the U.S. Coast Guard Station (.20 acres) located in South Padre Island. The motion was seconded by Dr. Gallegos and carried unanimously.

A motion was made by Mr. Rendon that the Board direct President Rodriguez to pursue the acquisition or the lease of the parking lot property adjacent to the U.S. Coast Guard Station located in South Padre Island, Texas. The motion was seconded by Dr. Zavaleta and carried unanimously.

A motion was made by Dr. Gallegos for Texas Southmost College District Board of Trustees authorize President Dr. Jesus Roberto Rodríguez to pursue the excess properties currently under review for conveyance by International Boundary and Water Commission (IBWC) be divided and conveyed in accordance with the partial assignment and assumption of the ground lease executed September 2013, specifically granting to University of Texas System (UT) only those properties described in "Exhibit B" of the partial assignment and assumption of the ground lease with TSC retaining all other properties not significant conveyed to the Board of Regents of the University of Texas Systems under the partial assignment and assumption ground lease. In addition, the Board authorize Dr. Rodríguez to pursue the acquisition of Tracks 3, 4, 10, 11, 1 and 9 from IBWC and that a true and correct copy of the partial assignment and assumption of ground lease TSC to UT, together with a map by Jose Vasquez surveyor, job #174414 be filed with the minutes of this meeting in connection with the action on this motion. The motion was seconded by Dr. García and carried unanimously.

**Deliberation on Personnel Matters,
Section 551.074, Texas Government Code.**

No action was taken.

13. Proposed Meeting Dates

Thursday, February 8, 2017

Regular Board Meeting

Thursday, March 8, 2017

Regular Board Meeting

Adjournment

The meeting was adjourned by Chair, Mrs. Garza at 8:42 p.m.