

BOARD OF TRUSTEES HANDBOOK

UPDATED JUNE 2018



Table of Contents

Welcome Statement	2	Budget Considerations for Fiscal Year 2018-2019.....	23
College of the Mainland.....	3	Foundational & Legal Documents	25
COM Mission.....	3	COM By-Laws	25
COM Vision	3	Board Policies and Regulations	47
COM Values Statement	3	Board Information	49
COM History.....	3	Training Information for Governing Board Members	49
Organizational Chart	5	Recent Board Meeting Agendas and Packet.....	51
Board of Trustees Directory	6	COM 2025 Plan to Advance Student Success.....	51
Role of the Board of Trustees	7	The Economic Value of College of the Mainland.....	51
Board Powers, Duties, and Responsibilities	7	Strategic Plan and Annual Plans	51
Board Standing Committees.....	9	Helpful Resources.....	52
Statement of Ethics	10	Appendices	53
Conflict of Interest Policy.....	11	Appendix A: Division Organizational Charts	53
Annual Evaluation of the President ...	16	Appendix B: Conflict of Interest Disclosure Form	59
Higher Ed Accreditation.....	16	Appendix C: The President’s Evaluation 2017	63
Financial.....	19	Appendix D: Campus Map	69
Initial Budget Discussion 2018-2019 Fiscal Year	20	Appendix E: College of the Mainland Redistricting Plan 2012	71
Analysis of Unrestricted Net Assets	21		
Unrestricted Cash Balance Calculation.....	22		
Unrestricted Cash Receipts Projection....	22		
Unrestricted Cash Assessment for Fiscal Year Ending 201.....	23		

Welcome Statement

Dear Trustee:

Welcome to College of the Mainland and thank you for serving on the COM Board of Trustees. As a trustee, you have a unique position from which to strengthen and grow numerous opportunities we offer our students and community.

I trust you will find this a place where students are excited about learning, our faculty is eager to share their experiences and the staff is passionate, hardworking and committed to our student body.

As you can tell, students and their success are what drive College of the Mainland.

Much like a student who steps foot on campus for the first time, I am sure you have many questions about College of the Mainland. I hope this Board of Trustees Handbook is a helpful resource for you.

Aside from the college's history, this handbook will provide you with valuable information on all things COM—from the role of a trustee to the college's financial disclosure, by-laws, policies and regulations, among other information. We all know that changes can occur throughout the year, so this handbook will be updated when necessary.

College of the Mainland is committed to its students and the communities within its taxing district—Dickinson, Hitchcock, La Marque, Santa Fe and Texas City. We strive to provide a quality education for those students earning an associate degree as well as to those earning a certificate, completing their high equivalency studies and seniors who participate at our Lifelong Learning Center.

The college continues to evolve as it meets the demands of its students and the Gulf Coast workforce.

I'm excited that you will be part of our Student Success journey.



Dr. Warren Nichols
President





College of the Mainland

MISSION

College of the Mainland is a learning-centered, comprehensive community college dedicated to student success and the intellectual and economic enrichment of the diverse communities we serve.

VISION

College of the Mainland will be a valued and vital community partner by enriching our community and preparing our students to thrive in a diverse, dynamic and global environment.

VALUES

- Student Success and Academic Excellence
- Continuous Improvement and Accountability
- Mutual Respect and Civility

- Diversity and Inclusiveness
- Innovation and Adaptability
- Campus and Community Collaboration

OUR HISTORY

Inception

College of the Mainland was a beckoning vision in the minds of community leaders as far back as the early 1960s. The first concrete step was taken in October 1966 when the College of the Mainland Junior College District was formed. The area of the College District encompasses 237 square miles, and its taxing district includes the five independent school districts of Dickinson, Hitchcock, La Marque, Santa Fe and Texas City. Its service district includes Friendswood ISD and the part of Clear Creek ISD located in Galveston County.

The second step toward realization of the dream was taken on December 10, 1966, when the voters of the College District approved a bond issue of \$2,850,000 and supporting taxes for debt service and operation. In quick succession, the Board of Trustees selected a president, hired faculty members and staff and located temporary facilities, and College of the Mainland came into existence. The first class of 414 students enrolled in September 1967.

Students attended classes in temporary quarters until the first phase of construction was completed on 120 acres by Palmer Highway and Amburn Road in Texas City. On February 27, 1970, the College moved to its beautiful new campus, which consisted of an Administration Building, Learning Resources Center, Math-Science Building, Technical-Vocational Building and a Central Utilities Building.

On May 16, 1970, the citizens of the Junior College District approved a second bond issue of \$4,750,000 and supporting taxes for operation and debt service of the second phase of construction. The second building program included a Fine Arts Building, a Physical Education Complex, a Student Center, a 100 percent increase of the Technical-Vocational Building facilities and a 60 percent expansion of the Math-Science Building facilities. The second construction phase was completed in September 1972, followed by the building of a print shop and a firing range.

Expansion

A 20,000-square-foot addition to the Technical-Vocational Building was completed in fall 1985. The expansion houses computer labs, classrooms, offices and a Child Development Lab designed as a training ground for students enrolled in the Child Development Program.

In 1991, two Industrial Education Buildings were completed to house the Auto Mechanics Technology and Diesel Mechanics Technology Programs. The well-equipped facilities added 25,335 square feet of building space to the campus, for a grand total of 300,745 square feet.

In 1999, a new 10,800-square-foot Public Service Careers Building was opened across the esplanade from the Fine Arts Building. The new facility houses faculty offices, classrooms and labs for three major public service career fields—law enforcement, emergency medical services, pharmacy technician and fire protection.

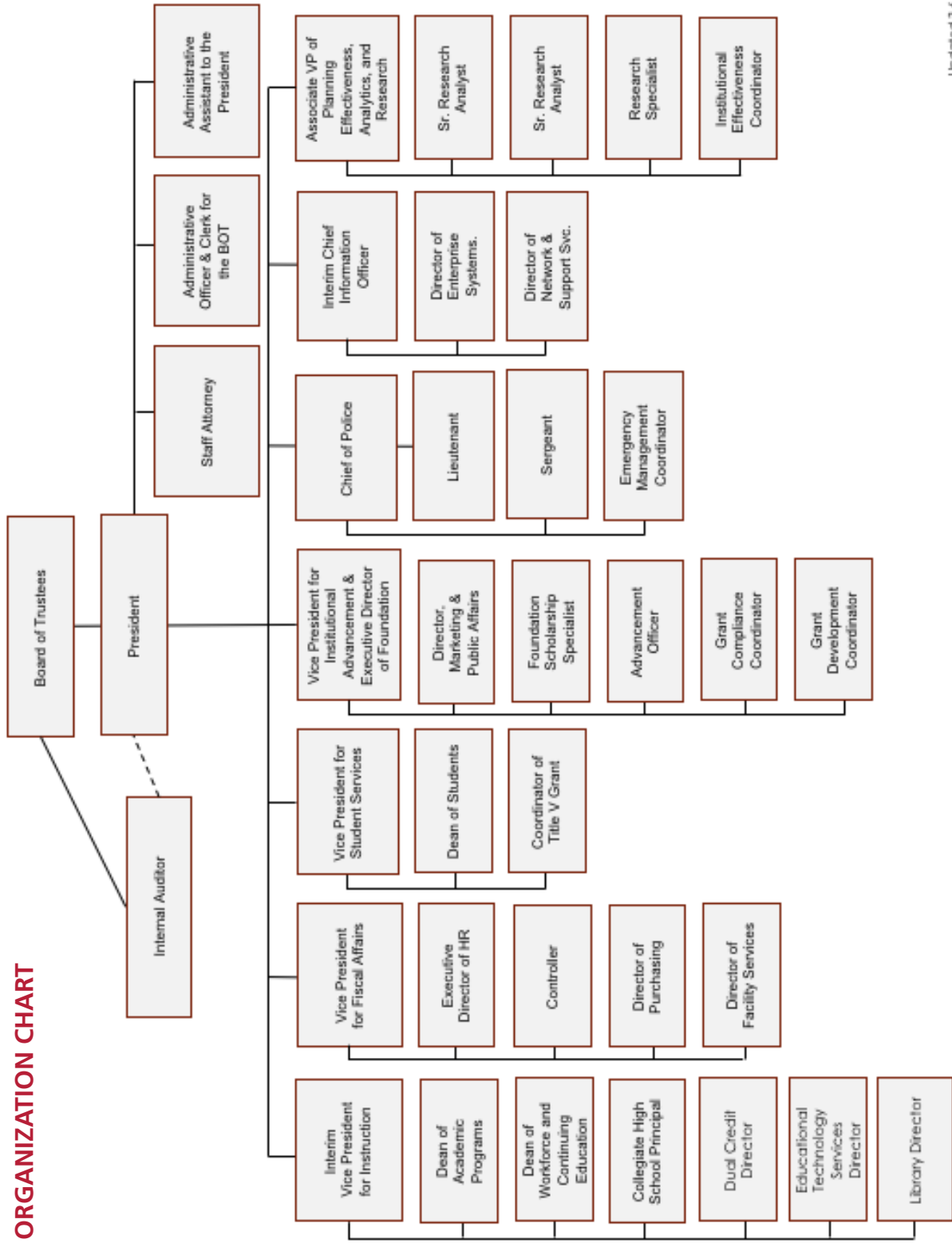
Other Locations

In 2003, the College opened a 7,500-square-foot learning center in League City to address the growing education and training needs of COM's north Galveston County service area. The COM Learning Center-North County offers college credit, dual credit and continuing education classes for students of all ages.

COM's Gulf Coast Safety Institute was established in 2007 to provide safety and health training and education to workers and employers.

In 2016, COM's 50 Plus Program, which has more than 1,200 students, opened a facility at Gulfway Plaza in La Marque.

ORGANIZATION CHART



Updated 3.6.18



BOARD OF TRUSTEES DIRECTORY



Kyle Dickson, Board Chair
Position 3: Term ends 2021
281-488-0630
kdickson@murray-lobb.com



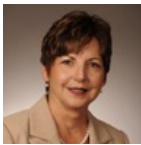
Rachel Delgado
Position 6: Term ends 2019
409-949-9990
rdelgado@com.edu



Alan Waters, Vice-Chair
Position 2: Term ends 2021
409-655-5055
awaters1@com.edu



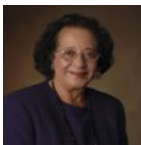
Donald G. Gartman
Position 7: Term ends 2023
At Large Position
409-739-2618
dgartman@com.edu



Rosalie Kettler, Secretary
Position 4: Term ends 2019
281-337-6716
rrkettler@yahoo.com



Melissa Skipworth
Position 5: Term ends 2023
281-684-9146
mskipworth@com.edu



Bennie Matthews
Position 1: Term ends 2019
409-938-1136
bmatthews6026@att.net



Role of the Board of Trustees

POWERS, DUTIES, RESPONSIBILITIES

In addition to legal requirements, the Board shall have the powers, duties, and responsibilities enumerated below but shall be in no way limited to those listed. The Board shall:

Policy

1. Act as the sole policy-making body of the College District.

Suggestions And Recommendations

2. Receive, consider, and act upon the suggestions and recommendations of its executive staff in matters pertaining to the function and operations of the College District.

Locations And Construction Of Facilities

3. Select and locate sites for College District facilities, finance construction, and plan for necessary expansion to meet identified needs.

President Of The College District

4. Select and evaluate the College President.

Faculty And Employee Election

5. Elect a faculty and other employees of the College District necessary to its operation and fix the compensation and manner of payment to the College President, faculty, and employees. It shall enter into contracts of employment, subject to the restrictions imposed by law.

Student Fees, Charges, And Rentals

6. Fix fees for matriculation, laboratories, library, gymnasium, and tuition on the recommendation of the College President.

Taxation, Bond, And Borrowing

7. Levy taxes, issue bonds, borrow funds and, in appropriate cases, pledge the assets of the College District as security for its debts, subject to restrictions imposed by the appli-

cable statutes of the State of Texas and the general law, as it deems necessary or expedient for the operation of the College District.

Assessment Of Property And Collection Of Taxes

8. Cause the taxable property located in the College District to be levied, assessed, collected, and taxed in the manner prescribed by law.

Official Depository

9. Select and maintain an official depository bank, as required by law.

Budget

10. Approve or adopt an itemized budget on or before September 1st of each year.

Curriculum

11. Upon the recommendation of the College President, formulate and approve the curriculum of the College District, in cooperation with the Coordinating Board.

Expansion Of Physical And Educational Facilities

12. Plan for the necessary expansion to meet the physical and instructional needs of the College District, and secure the necessary funds and financing needs for such expansion.

Title To Property

13. Receive and hold title to the property of the College District for the use and benefit of the College District.

Contracts And Suits

14. Contract and be contracted with and sue and be sued (without waiving any immunity or defense accorded it by the law).

Gifts For Use Of College District

15. Receive gifts, grants, donations, and devices made for the use of the College District.

Disbursements Of College District Funds

16. Receive, approve, process, and pay all just claims against College District funds.

Management And Control Of College District Property

17. Control and maintain all property belonging to the College District through the College District administration and have the power to sell, convey, or otherwise dispose of the same subject to the requirements of law.

Vacancies In Office

18. Fill vacancies that may occur on its Board or among its staff, faculty, or employees as the case may be, in the manner prescribed by law and the adopted policies of the Board.

ELECTIONS

19. Conduct all elections for new Board members or revenue measures and canvass and certify the results of elections in the manner prescribed by law. Election of Board members for the College District shall continue to be held in odd-numbered years, as provided by this policy.

Disciplinary And Grievance Matters

20. Review and hear any Level Three complaint forwarded to the Board by the College President, acting upon the appeal in accordance with policy GB(LOCAL).

Employment Of Professional Consultants

21. Employ professional consultants including but not limited to the fields of insurance, taxation, engineering, architecture, accounting, medicine, law, or other areas as it deems necessary or proper for the conduct of the affairs of the College District.

Athletics And Physical Training

22. Formulate, authorize, or install, with the advice and recommendation of the College President, such programs of athletics, physical

training, or related activities as it deems to be in the best interests of the College District.

Student Activities

23. Formulate policies with respect to student activities, recreation, or social organizations on the recommendation of the College President.

Cooperation With The Texas Commission Of Higher Education

24. Cooperate with and abide by the rules and regulations of the Coordinating Board and any and all other state agencies vest-ed with the

appropriate authority in the areas of authority.

Audit Of College District Accounts

25. Cause an annual audit of its accounts to be made and distributed as required by law.

Governmental Practices Or Aid Programs

26. Contract or participate with the federal, state, or any municipal governmental organization in matters pertaining to financial or other aid to its educational program or to the installation or operation of any education program or training.

BOARD COMMITTEES

The Board shall perform its official duties and functions through four standing committees, as a Committee of the Whole and, when necessary, special committees.

Standing Committees

The four standing committees include:

- Finance/Audit;
- Human Resources;
- Policy and Community Relations; and
- Building and Grounds.

The chairperson of each committee and committee assignments shall be appointed by the Board Chairperson with consideration given to the interest and expertise of Board members. Committees shall be assigned at the Board meeting following the election of the Board Chairperson for two-year terms.

Committee Of The Whole

The Board shall perform its official duties when practical as a Committee of the Whole.

Special Committees

Special committees consisting of Board members may be created by the Board Chairperson, after authorization by the Board, or may be elected by the Board. Such committees shall perform their as-signed duties and functions in accordance with the instructions, if any, given them by the Board. Unless specified as standing committees, when special committees have performed the duties and functions assigned to them by the Board, have made their recommendations and reports, or have taken such action permitted and authorized by their instructions, they shall be automatically dis-charged. Such committees shall function in a fact-finding or advisory capacity.

Committee Authority

Committees may act for the Board only within specific authority granted by the Board. Committee action must be reported to the Board for approval and entry into the minutes as a public record.

STATEMENT OF ETHICS

As a member of the Board, I will strive to improve community college education, and to that end I shall adhere to the following ethical standards:

1. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Bring about desired changes through legal and ethical procedures, upholding and enforcing all applicable statutes, regulations, and court decisions pertaining to community colleges.
3. Work with other Board members to establish effective Board policies and to delegate authority for the administration of the College District to the Chief Executive Officer.
4. Work with other Board members to establish effective policies and practices prohibiting unlawful discrimination, including conduct that constitutes sexual harassment.
5. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings.
6. Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
7. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community.
8. Communicate to other Board members and the Chief Executive Officer expressions of public reaction to Board policies and college programs.
9. Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the Texas Association of Community Colleges, the American Association of Community Colleges, and the Association of Community College Trustees.
10. Support the employment of those persons best qualified to serve as college staff, and insist on a regular and impartial evaluation of all staff.
11. Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain.
12. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.
13. Remember always that my first and greatest concern must be the educational welfare of the students attending the college.

UNDUE PRESSURE: It is the responsibility of the Board as a whole to ensure that its individual members and the Board as a whole are not subject to undue pressure from political, religious, or other external bodies. In addition, the Board shall ensure that the administration is also protected from undue pressure from external organizations and bodies.

DATE ISSUED: 3/25/2002

LDU-12-02

BBF(LOCAL)-X

CONFLICT OF INTEREST

If a local public official, such as a member of a college district board of trustees, has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

1. In the case of a substantial interest in a business entity, the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
2. In the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

The affidavit must be filed with the official record keeper of the governmental entity.

Definitions

“Substantial Interest” A person has a substantial interest in a business entity if:

1. The person owns:
 - a. Ten percent or more of the voting stock or shares of the business entity, or
 - b. Either ten percent or more or \$15,000 or more of the fair market value of the business entity; or
2. Funds received by the person from the business entity exceed ten percent of

the person’s gross income for the previous year.

A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more.

A local public official is considered to have a substantial interest if a person related to the official in the first degree by consanguinity or affinity, as determined under Government Code Chapter 573, has a substantial interest as defined above.

“Local public official” means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), central appraisal district, or other local governmental entity, including a college district, who exercises responsibilities beyond those that are advisory in nature.

“Business entity” means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law. A public entity, such as a city, school district, or state institution of higher education, whose purpose is not to produce financial benefits for private persons is not a business entity.

Majority Conflict

If a local public official is required to file and does file an affidavit, the official is not required to abstain from further participation in the matter requiring the affidavit if a majority of the members of the governmental entity of which the official is a member is composed of persons who are like-wise required to file and do file affidavits of similar interests on the same official action.

Separate Vote on the Budget

The governing body of a governmental entity shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a member of the governing body has a substantial interest. The affected member may not participate in that separate vote. The member may vote on a final budget if the member has complied with Local Government Code Chapter 171, described herein, and the matter in which the member is concerned has been re-solved.

Violations

A local public official commits an offense if the official knowingly:

1. Violates Local Government Code 171.004, above;
2. Acts as surety for a business entity that has work, business, or a contract with the governmental entity; or
3. Acts as surety on any official bond required of an officer of the governmental entity.

Voidable Actions

The finding by a court of a violation under Chapter 171 does not render an action of the governmental body voidable unless the measure that was the subject of an action involving a conflict of interest would not have passed the governing body without the vote of the person who violated the chapter.

SUBSTANTIAL INTEREST DECLARATION AND ABSTENTION UNDER EDUCATION CODE 51.923

An institution of higher education, including a college district, is not prohibited from

entering into a contract or other transaction with a business entity in which a member of the governing board of the institution of higher education has an interest if the interest is not a substantial interest or, if the interest is a substantial interest, the board member discloses that interest in a meeting held in compliance with Government Code Chapter 551 and refrains from voting on the contract or transaction requiring board approval. Any such contract or transaction requiring board approval must be approved by an affirmative majority of the board members voting on the contract or transaction.

A nonprofit corporation is not disqualified from entering into a contract or other transaction with an institution of higher education even though one or more members of the governing board of the institution of higher education also serves as a member, director, officer, or employee of the non-profit corporation.

A violation of this section does not render an action of the governing board voidable unless the contract or transaction that was the subject of the action would not have been approved by the governing board without the vote of the member who violated this section.

Definitions

“Substantial Interest” For purposes of this section, a member of a governing board has a substantial interest in a business entity if:

1. The member owns one percent or more of the voting stock or shares of the business entity or owns either one percent or more or \$15,000 or more of the fair market value of the business entity;

2. Funds received by the member from the business entity exceed one percent of the member's gross income for the previous year;
3. The member is an officer of the business entity or a member of the governing board of the business entity; or
4. An individual related to the member in the first degree by consanguinity or affinity, as determined under Government Code Chapter 573 has an interest in the business entity as described by item 1, 2, or 3.

“Business entity” means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, firm, corporation, limited liability company, holding company, joint stock company, receivership, or trust.

CONFLICTS DISCLOSURE STATEMENT

A local government officer shall file a conflicts disclosure statement with respect to a vendor if the vendor enters into a contract with the local governmental entity or the local governmental entity is considering entering into a contract with the vendor; and the person:

1. Has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that a contract between the local govern-

mental entity and vendor has been executed or the local governmental entity is considering entering into a contract with the vendor;

2. Has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that a contract between the local governmental entity and vendor has been executed; or the local governmental entity is considering entering into a contract with the vendor; or
3. Has a family relationship with the local government officer.

A local government officer is not required to file a conflicts disclosure statement in relation to a gift accepted by the officer or a family member of the officer if the gift is:

1. A political contribution as defined by Election Code Title 15; or
2. Food accepted as a guest.

A local government officer is not required to file a conflicts disclosure statement if the local governmental entity or vendor described is an administrative agency created under Government Code 791.013.

A local government officer shall file the conflicts disclosure statement with the records administrator of the local governmental entity not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement.

The Texas Ethics Commission shall adopt the conflicts disclosure statement for local government officers for use under this section.

Violations

A local government officer commits an offense if the officer is required to file a conflicts disclosure statement under Local Government Code 176.003 and knowingly fails to file the required conflicts disclosure statement with the appropriate records administrator not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement. It is an exception to the application of the penalty that the local government officer filed the required conflicts disclosure statement not later than the seventh business day after the date the officer received notice from the local governmental entity of the alleged violation.

Definitions

“Local government officer” means a member of the governing body of a local governmental entity, including a college district; a director, superintendent, administrator, president, or other person designated as the executive officer of the local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor.

“Agent” means a third party who undertakes to transact some business or manage some affair for another person by the authority or on account of the other person. The term includes an employee.

“Family member” means a person related to another person within the first degree by consanguinity or affinity, as described by Government Code Chapter 573, Subchapter B.

“Family relationship” means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Government Code Chapter 573, Subchapter B.

“Vendor” means a person who enters or seeks to enter into a contract with a local governmental entity. The term includes an agent of a vendor. The term includes an officer or employee of a state agency when that individual is acting in a private capacity to enter into a contract. The term does not include a state agency except for Texas Correctional Industries

“Records administrator” means the director, county clerk, municipal secretary, superintendent, or other person responsible for maintaining the records of the local governmental entity or another person designated by the local governmental entity to maintain statements and questionnaires filed under Local Government Code Chapter 176 and perform related functions.

“Gift” means a benefit offered by a person, including food, lodging, transportation, and entertainment accepted as a guest. The term does not include a benefit offered on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient.

“Investment income” means dividends, capital gains, or interest income generated from:

1. A personal or business;
2. Checking or savings account;
3. Share draft or share account; or
4. Other similar account;

5. A personal or business investment; or
6. A personal or business loan.

Internet Posting Required

A local governmental entity that maintains an Internet website shall provide access to the statements and questionnaires required to be filed under Chapter 176 on that website

AFFIDAVIT DISCLOSING INTEREST IN PROPERTY

A public servant who has a legal or equitable interest in property that is to be acquired with public funds shall file an affidavit within ten days before the date on which the property is to be acquired by purchase or condemnation. The affidavit must:

1. State the name of the public servant;
2. State the public servant's office, public title, or job designation;
3. Fully describe the property;
4. Fully describe the nature, type, and amount of interest in the property, including the percentage of ownership interest;
5. State the date when the person acquired an interest in the property;
6. Include a verification as follows: "I swear that the information in this affidavit is personally known by me to be correct and contains the information

required by Section 553.002, Government Code;" and

7. Contain an acknowledgment of the same type required for recording a deed in the deed records of the county.

The affidavit must be filed with the county clerk of the county in which the public servant resides and the county clerk of each county in which the property is located.

Violations

A person commits an offense if the person violates Government Code 553.002, above and the person has actual notice of the acquisition or intended acquisition of the legal or equitable interest in the property. A person who violates Section 553.002 by not filing the affidavit required by that section is presumed to have the intent to commit an offense.

"Public servant" means a person who is elected, appointed, employed, or designated, even if not yet qualified for or having assumed the duties of office, as:

1. A candidate for nomination or election to public office; or
2. An officer of government.

Gov't Code 553.001(2)

Please see Appendix B for a copy of the Local Government Officer Conflicts of Interest Disclosure Statement or at www.ethics.state.tx.us/forms/CIS.pdf

ANNUAL EVALUATION OF THE COLLEGE PRESIDENT

Consistent with the Bylaws, the Board shall evaluate the President annually. The President is the chief executive officer of the College, recommends the organizational plan for the College and has a fiduciary duty to the College. Evaluation of the President shall include assessment of his effectiveness based upon the duties enumerated in the Bylaws. *Bylaws of the Board of Trustees of the College of the Mainland, Article G: section 2.*

Annual Self-Assessment of the Board

The Board shall evaluate the efficiency and effectiveness of Board operations for the benefit of the College. The Board shall evaluate its own performance and shall establish its goals on a yearly basis. The self-assessment of the Board shall consist of:

- a. Review of the Board Bylaws.
- b. An assessment of Board expenditures and savings for the year.
- c. An estimation of Board budgetary needs for the following year.
- d. An evaluation of Board accomplishments in setting policy, uniting the community in and out of the College, managing debt, and improving the College.
- e. An assessment of Board Governance and Operations.
- f. An assessment of the Board Office functions (Board office staff shall be evaluated by the President). *Bylaws of the Board of Trustees of the College of the Mainland, Article I: sections 1,5.*

HIGHER ED ACCREDITATION

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) is the regional body for the accreditation of degree-granting higher education institutions in the Southern states. The Commission's mission is the enhancement of education quality throughout the region and the improvement of the effectiveness of institutions by ensuring that they meet standards established by the higher education community that address the needs of society and students.

Accreditation by SACSCOC signifies that the institution (1) has a mission appropriate to higher education, (2) has resources, programs, and services sufficient to accomplish and sustain that mission, and (3) maintains clearly specified educational objectives that are consistent with its mission and appropriate to the degrees it offers, and that indicate whether it is successful in achieving its stated objectives.

The Process of Accreditation

The process for initial and continued accreditation involves a collective analysis and judgment by the institution's internal constituencies, an informed review by peers external to the institution, and a reasoned decision by the elected members of the SACSCOC Board of Trustees. Accredited institutions periodically conduct internal reviews involving their administrative officers, staffs, faculties, students, trustees, and others appropriate to the process. The internal review allows an institution to consider its effectiveness in achieving its stated mission, its compliance with *The Principles of Accreditation: Foundations for Quality Enhancement*, its efforts in enhancing the quality of student learning and the quality of programs and services offered to its constituencies, and its successes in accomplishing its mission. At the culmination of the internal review, peer evaluators repre-

senting the Board apply their professional judgment through a preliminary assessment of the institution; elected SACSCOC Board members make the final determination of an institution's compliance with the accreditation requirements.

The Role and Responsibilities of the governing board in SACSCOC Accreditation

The institution's governing board holds in trust the fundamental autonomy and ultimate well-being of the institution. As the corporate body, the board ensures both the presence of viable leadership and strong financial resources to fulfill the institutional mission. Integral to strong governance is the absence of undue influence from external sources. Standards for accreditation for the governing board are:

The institution has a governing board of at least five members that:

- (a) is the legal body with specific authority over the institution.
- (b) exercises fiduciary oversight of the institution.

- (c) ensures that both the presiding officer of the board and a majority of other voting members of the board are free of any contractual, employment, personal, or familial financial interest in the institution.
- (d) is not controlled by a minority of board members or by organizations or institutions separate from it.
- (e) is not presided over by the chief executive officer of the institution.

2. The governing board

- a. ensures the regular review of the institution's mission.
- b. ensures a clear and appropriate distinction between the policy-making function of the board and the responsibility of the administration and faculty to administer and implement policy.
- c. selects and regularly evaluates the institution's chief executive officer.



Financial

FISCAL YEAR OPERATING BUDGET

The current OPERATING BUDGET is available online at:

https://build.com.edu/uploads/sitecontent/files/fiscal-affairs/FY18_Operating_Budget_Book-Final.pdf

ANNUAL INVESTMENT REPORT

The current Annual Investment Report is available online at:

http://build.com.edu/uploads/sitecontent/files/fiscal-affairs/2016-2017_Annual_Report.pdf

ANNUAL FINANCIAL AND COMPLIANCE REPORT

The current Annual Financial and Compliance Report is available online at:

<https://build.com.edu/uploads/sitecontent/files/fiscal-affairs/2017.pdf>

INITIAL BUDGET DISCUSSION 2018-2019 FISCAL YEAR

Accrual to Budget Reconciliation 2016-2017

Unrestricted expenses	\$32,492,581
+ Fixed Assets	\$ 114,672
- Renewal and Replacement (Fund 52)	\$(468,790)
- Fund Balance	\$(872,408)
Operating Budget Items	\$31,266,055

Board of Trustees Approved	
Budget for 2016-2017	\$31,370,681
Under Budget	\$104,626

Unrestricted Expenses

Tuition and fees, state appropriations, property taxes

Fixed Assets

Library books, pickup truck, building improvements

Renewal and Replacement Fund (52)

Instructional equipment such as lab equipment, expenditures to meet American with Disabilities Act, cost for special facilities equipment to support increased enrollment

Fund Balance

Requests for non-reoccurring, one-time contingency

ANALYSIS OF UNRESTRICTED NET ASSETS

	FY 2017	FY 2016
Net Investment in Capital Assets	\$13,440,062	\$11,902,951
Restricted for Expandable	\$2,636,002	\$2,536,448
Unrestricted	\$4,387,500	\$6,524,636
Total Net Assets	\$20,463,564	\$20,964,035
Unrestricted Net Assets	\$4,387,500	\$6,524,636
Add Back Compensated Absences, Current	\$196,325	\$180,393
Add Back Unearned Income	\$3,996,305	\$4,079,886
Less Deferred Outflows Resources, Pensions	(\$2,270,304)	(\$1,237,449)
Add Deferred Inflows Resources, Pensions	\$2,106,480	\$1,305,884
Add Liability, Pension From GASB 68	\$6,846,919	\$6,610,980
Operational Resources	\$15,263,225	\$17,464,330
Unrestricted Cash	\$15,347,819	\$17,169,891

Unrestricted Net Assets

Accumulation of all surplus cash over the history of COM

Add Back Compensated Absences, Current

Payment for employee absences if everyone requested payment at one time

Add Back Unearned Income

Tuition paid for Fall Semester cannot be accounted until the 15th class day in order to account for any refunds

Add Deferred Inflows Resources, Pensions

The Texas Teacher Retirement System is responsible party

From Standard and Poor:

The unrestricted net position (UNP) for fiscal year year-end 2016, equated to \$6.52 million, or a very strong 15.2 percent operating expenditures. The decrease in the college's UNP primarily reflects the restatement of its net pension liability required by the implementation of Government Accounting Standards Board (GASB) No. 68, as amended by GASB 71. Furthermore, fiscal 2016 year-end cash and investments were 39.3 percent of operating expenditures. The college maintains a formal reserve policy to maintain at least two months of reserves, of 16.7 percent of operating expenditures, which the district has historically met and sustained. According to management, the college may reduce its cash position over the next two years to fund deferred maintenance.

From South Carolina Community College:

The College's net pension liability is not a legal obligation, and the South Carolina Retirement System does not have recourse to collect the College's net pension liability of \$14,467,628, shown on the College's Statement of Net Position."

UNRESTRICTED CASH BALANCE CALCULATION*

	2017	2016	2015
Budgeted Expenses	\$32,800,001	\$31,370,681	\$31,900,000
X 16.7 Percent	\$5,477,600	\$5,238,904	\$5,327,300
Add Accounts Payable	<u>\$1,620,236</u>	<u>\$1,749,377</u>	<u>\$1,474,344</u>
Required Minimum Unrestricted Cash	(\$7,097,836)	(\$6,988,281)	(\$6,801,644)
Unrestricted Cash as of Aug. 31, 2018 (Cash in the Bank)	\$15,347,819	\$17,169,891	\$17,031,960
Excess Cash Above Minimum	\$8,249,983	\$10,181,610	\$10,230,316

College of the Mainland's annual budget seeks to maintain unrestricted and unallocated cash reserves of at least 16.7 percent of budgeted total annual expenses, plus total accounts payable throughout the fiscal year.

*Using policy stated on page 73 of the 2017-2018 Operating Budget

UNRESTRICTED CASH RECEIPTS PROJECTION

	Operating Budget (Fund 11)	Renewal and Replacement (Fund 52)	Total
Student Cash Receipts (tuition and fees)	\$7,235,147	\$820,000	\$8,055,147
Other Operating	\$312,660	----	\$312,660
Operating Cash Inflows	\$7,547,807	\$820,000	\$8,367,807
Academic Appropriations	<u>\$6,100,118</u>	----	\$6,100,118
Ad Valorem Taxes	\$20,700,000	----	\$20,700,000
Federal Revenue, Non-Operating	\$8,000	----	\$8,000
Investment Income	\$142,000	----	\$142,000
Foreign Trade Zone	<u>\$350,000</u>	----	\$350,000
Non-Operating Cash InFlows	\$27,300,118	----	\$27,300,118
Anticipated Net Cash InFlows	\$34,847,925	\$820,000	\$35,667,925

UNRESTRICTED CASH ASSESSMENT FOR FISCAL YEAR ENDING 2018

Cash Balance	\$15,347,819
Revised Fund Balance Request	(\$3,668,564)
Anticipated Revenue Increase	<u>\$1,748,520</u>
Projected Aug. 31, 2018, Cash Balance	\$13,427,775
Less Minimum Cash Balance	(\$7,097,836)
Surplus Cash	\$6,329,939

Anticipated Revenue based on about \$700,000 in tuition and \$1 million in property taxes

* Assumes Spending at Budget

BUDGET CONSIDERATIONS FOR FISCAL YEAR 2018-2019

Desired Budget Outcomes:

- Increased Student Success
Tutors, Adjunct Professors, Computer Software for Co-Requisite Initiatives and Implementation of Guided Pathways
- Facilities Improvement
Payments on Maintenance Tax Note and Others
- Employee Opportunities
Employee Compensation Study, Additional Vacation Days for New Hires

Areas of Potential Budget Focus:

- Guided Pathways Implementation
- Co-Requisite Model
- Availability of Funds to Make Maintenance Bond Payments



Foundational & Legal Documents

Board Bylaws

PREAMBLE

The Board of Trustees (the “Board”) of College of the Mainland College District (“COM” or “College” or “District”) formulates and enacts the following Bylaws, rules, and regulations to aid it in the conduct and performance of its official functions.

The Board of COM shall govern the College through the administration (“Staff”), in accordance with state law, avoiding actions and situations detrimental to the College, and promoting educational opportunity for the benefit of the entire community.

The Bylaws of the Board are written by the Board for the purposes of internal management of the Board and all Board activities. Any policy, procedure, or regulation in these Bylaws found in conflict with a state or federal law, rule or regulation shall be null and void to the extent of the conflict. Amendments to the Bylaws can be made only by a majority vote of the total membership of the Board.

ARTICLE A: DEFINITIONS AND REFERENCES

1. Definitions.

“District” -- Unless otherwise specified, the term “District” as used in these Bylaws shall be construed to mean College of the Mainland College District.

“Board” -- Unless otherwise specified, the term “Board” as used in these Bylaws shall be construed to mean the Board of Trustees of College of the Mainland College District.

“College” -- Unless otherwise specified, the term “College” as used in these Bylaws shall be construed to mean the educational facility or facilities owned, operated, and maintained by the College of the Mainland College District and, where meaning dictates, said term shall be used interchangeably with the term “District.”

2. Statutory Reference.

All references made to statutes, whether specific or otherwise, are to the statutes of the State of Texas.

ARTICLE B: ETHICS

1. Purpose.

As Trustees for COM, Board members serve as fiduciaries pursuant but not limited to state and federal trust law, and therefore, must act solely and exclusively for the benefit of the College. High ethical standards are critical to fulfilling these responsibilities. The laws and statutes enacted by the Legislature to govern the conduct of public officials are considered by the Board to be the minimum standards. These legal provisions governing ethical and professional standards of conduct and disclosure are provided in the following Texas statutes and should be consulted for specific information should the need arise:

- a. Education Code;
- b. Penal Code -- Chapters 36 (Bribery), 37 (Perjury) and 39 (Abuse of Office);
- c. Government Code -- Chapters 551 (Open Meetings), 552 (Public Information), 553 (Public Disclosure), 554 (Reporting); and 571-573 (Ethics, Conflicts of Interest and Nepotism);
- d. Texas Labor Code Chapter 21 (Equal Employment); and
- e. Local Government Code -- Chapters 171 (Conflicts of Interest) and 176 (Conflicts Disclosure Statements).

2. Distribution Policy.

Copies of the Board Bylaws will be distributed to each Trustee and posted on the College website.

3. Applicability.

The Board chooses to establish a higher standard of conduct and ethical behavior to govern the Trustees and Senior Staff (as defined below) than Texas law requires, and hereby adopts the follow-

ing Statement of Ethics, which is also listed in Policy BBF (Local) of the Board's Governance Policy.

a. Senior Staff is defined as:

- i. any member of the President's Cabinet;
- ii. College employees classified as Class I through Class III on the College Staff Pay Structure;
- iii. All procurement and purchasing personnel;
- iv. Any College employee who participates in an evaluation or selection committee for any College solicitation for goods and services; and
- v. Any College employee who participates in the evaluation of goods and services provided by a vendor or contractor.

b. Statement of Ethics

As a member of the Board, I will strive to improve community college education, and to that end I shall adhere to the following ethical standards:

- i. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning issues to be considered at those meetings.
- ii. Bring about desired changes through legal and ethical procedures, upholding and enforcing all applicable statutes, regulations, and court decisions pertaining to community colleges.
- iii. Work with other Board members to establish effective Board policies and to delegate authority for the administration of the College District to the President.
- iv. Work with other Board members to establish effective policies and practices prohibiting unlawful discrimination, including conduct that constitutes sexual harassment.
- v. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings.
- vi. Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
- vii. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community.
- viii. Communicate to other Board members and the President expressions of public reaction to Board policies and college programs.
- ix. Inform myself about current educational issues by individual study and through

participation in programs providing needed information, such as those sponsored by the Texas Association of Community Colleges, the American Association of Community Colleges, and the Association of Community College Trustees.

- x. Support the employment of those persons best qualified to serve as college staff, and insist on a regular and impartial evaluation of all staff.
- xi. Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain.
- xii. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.
- xiii. Remember always that my first and greatest concern must be the educational welfare of the students attending the college.

4. Prohibited Benefits.

For the protection of the integrity of the College, Trustees shall not:

- a. Accept or solicit any gift, favor, or service that might tend to influence him/her in the performance of official duties or that might be offered with the intent to influence his/her official conduct.
- b. Accept employment or engage in a business that would require the release or use of information obtained in the performance of official duties.
- c. Trustees will comply with the COM Governance policies and Texas law requiring the filing of a Conflicts Disclosure Statement or a conflict of interest affidavit under the appropriate circumstances, and no later than August 31 of each academic year, will sign a Conflict of Interest Certification and submit it to the Board Clerk.

5. Prohibited Communications/Political Contributions.

- a. Except as provided below, political contributions and communications between a potential vendor, subcontractor, service provider, bidder, broker, offeror, lobbyist, or consultant and any Board member, Senior Staff, or any member of a selection or evaluation committee, regarding a particular invitation for bid (“IFB”), request for proposal (“RFP”), request for qualification (“RFQ”), employment application, or other solicitation are prohibited.
- b. The communications prohibition shall not apply to the following:
 - i. Official communications between a potential vendor or subcontractor and appropriate staff or administration at a duly noticed pre-bid or pre-proposal conference.
 - ii. Communications with Senior Staff whose official job duties may require communication regarding the specific bid, request for proposal, request for qualifications, employment application, or solicitation under consideration, including pre-bid or pre-proposal communications.

- iii. Nothing contained herein shall prohibit any person or entity from publicly addressing the Board during any duly-noticed public meeting, in accordance with applicable Board policies, regarding action on the contract.
- c. The communications/political contributions prohibition period shall begin on the date that the IFB, RFQ, RFP, or other solicitation is issued, published, or posted. The communications/political contribution prohibition shall terminate on the date the contract is executed by the President or his or her designee or when a determination is made that the contract will not be awarded. The Director of Purchasing will email notification of the beginning and ending of the prohibited communications period to each Board member and Senior Staff Member.
- d. The Director of Purchasing shall include in the solicitation documents a statement disclosing the requirements of this policy. The statement shall be conspicuously written in a separate section of the solicitation.

6. Political Activities.

A member of the Board, as well as the Board as a whole, shall not expend or authorize the expenditure of any statutorily restricted funds for the purpose of influencing the outcome of any election, or the passage or defeat of any legislative measure. However, it is permissible for the Board to use or authorize the use of funds to provide information and education regarding certain matters.

7. Misuse Of Official Information.

A member of the Board shall not use the office of Trustee to obtain or use official information in any unlawful way.

8. Mechanisms For Enforcement.

The mechanisms for enforcement of the Statement of Ethics are:

- a. Board members must report an alleged violation of this Statement of Ethics to Board Counsel.
- b. Any person may allege noncompliance with this Statement of Ethics to the Board Chair (or the Vice Chair if the Chair is the target of the allegation) or to the President if it involves a member of the Staff.
- c. The Board shall be advised when any allegation of a violation of this Statement of Ethics is made.
- d. The Chair, Vice Chair or President, as appropriate, will undertake a process to resolve the complaint.
- e. If either the complainant, the Board member complained about, or a majority of the Board requests, the Chair or President, as appropriate, will name an independent third party to investigate the complaint and report to the Board.
- f. If the Board finds a violation of this Statement of Ethics, it can reprimand or censure a

- Board member, the only sanctions available under Texas law.
- g. If the President finds a violation of this Statement of Ethics by a member of Senior Staff, the President shall take appropriate action under the COM human resources policies.
 - h. After an evidentiary hearing, a majority vote of the total membership of the Board may disqualify a vendor or subcontractor from participation in any solicitation or contract for up to one (1) year for violating this Statement of Ethics.

ARTICLE C: POWERS OF THE BOARD

1. Authority.

Board members are fiduciaries and shall discharge their duties for the exclusive interest of the College. The Board as a body has final authority to establish the policies that govern the College within the limits imposed by Texas law. Individual Board members shall have no authority over the College, its property, or its employees, however, each Board member does have the right to seek information from the College without specific Board authorization, following prescribed procedures and proper purpose. A Board member may act on behalf of the Board only with the official authorization of a majority of the total membership of the Board. Without such express authorization, no Board member may commit the Board on any issue. Specific powers of the Board include, but are not limited to, the following:

- a. Govern and oversee the management of the College.
- b. Delegate to the President the responsibility for all administrative functions.
- c. Adopt and periodically review policies for the College and such rules, regulations, and bylaws as the Board deems advisable.
- d. Establish goals consistent with the College's role and mission.
- e. Levy and collect taxes and issue bonds, time warrants, and certificates of indebtedness.
- f. Provide for assessing and collecting of taxes.
- g. Adopt a budget and file a copy of the annual operating budget and subsequent amendments with the appropriate state agency.
- h. Have the accounts audited in accordance with the approved financial reporting system.
- i. Submit the required annual report to the Governor, Comptroller, State Treasurer, State Auditor, and Legislative Budget Board.
- j. Accept on behalf of the College bequests and donations or other monies.
- k. Establish an endowment fund outside the state treasury in a depository selected by the Board.

- l. Pledge funds from tuition, grants, donations, and income for the payment of issued revenue bonds.
- m. Select a depository for College funds.
- n. Order elections as required by law.
- o. Exercise the power of eminent domain to acquire property.
- p. Appoint the president, evaluate the president, and assist the president in the achievement of performance goals.
- q. Appoint or employ agents, employees, and officials as deemed necessary or advisable to carry out any power, duty, or function of the Board; and, upon the President's recommendation, employ faculty and other employees of the College.
- r. Proceed by and through resolutions or orders adopted or passed by the Board.
- s. Be authorized to fix and collect rentals, rates, charges, or fees from students and others for the occupancy, use, or availability of all or any of its property, buildings, structures, activities, operations, or facilities in such amounts and in such manner as may be determined by the Board.
- t. Acquire and hold real and personal property and hold title to all property of the College.
- u. Control and maintain all property belonging to the College District through the College District administration and have the power to sell, convey, or otherwise dispose of the same subject to the requirements of law.
- v. Execute, perform, and make payments under contracts, which may include leases, leases with option(s) to purchase, or installment purchase, with any person for the use, acquisition, or purchase of any personal property, or the financing thereof.
- w. Employ, retain, contract with, or compensate a licensed real estate broker or salesperson for assistance in the acquisition or sale of real property.
- x. Form a non-member, non-stock, non-profit public facility corporation(s) for the purpose of issuing bonds.
- y. Oversee the investment of College funds and retain a financial advisor if necessary.
- z. Receive, approve, process, and pay all just claims against College District funds.
- aa. Select and locate sites for College District facilities, finance construction, and plan for necessary expansion to meet identified needs.
- bb. Employ professional consultants including but not limited to the fields of insurance, taxation, engineering, architecture, accounting, medicine, law, or other areas as it deems necessary or proper for the conduct of the affairs of the College District.

- cc. Contract with vendors, except to the extent it has delegated these powers to the President.
- dd. Require regular reports from the College Foundation.
- ee. Ensure that its formal position on matters of importance to the College is made clear to the Coordinating Board when such matters are under consideration by the Coordinating Board.
- ff. Set admission standards.
- gg. Upon the recommendation of the President, formulate and approve the curriculum of the College District, in cooperation with the Coordinating Board.
- hh. Formulate, authorize, or install, with the advice of the President, such student activities, athletic programs, recreational, or social organizations as it deems to be in the best interests of the College.
- ii. Contract or participate with the federal, state, or any municipal governmental organization in matters pertaining to financial or other aid to its educational program or to the installation or operation of any education program or training.
- jj. Review and hear any complaint or grievance forwarded to the Board in accordance with College policy.
- kk. Sue and be sued.

2. Delegation Of Authority In An Emergency.

In a crisis situation, the Board temporarily delegates authority to the President to make critical decisions affecting the College and to protect the welfare and safety of students and employees. The President is authorized to sign and implement contracts and agreements in an emergency situation or crisis. Emergency decisions require that the Board subsequently declare a state of emergency and ratify any contract exceeding the President's contracting authority.

In the event of a catastrophe, emergency, or natural disaster affecting the College, contracting for the replacement, construction, or repair of College equipment or facilities is authorized if the emergency replacement, construction, or repair is necessary for the health and safety of College students and staff. Tex. Educ. Code 44.0312.

3. Policy Direction.

The Board shall formulate, amend, update, adopt, and publish official policies for the College. All policies of the College are subject to relevant laws, rules, regulations, and executive orders of the federal government and the government of the State of Texas. Any policy, procedure, or regulation found in conflict with a state or federal law, rule, or regulation shall be void to the extent of the conflict. Noncompliance with College policies by employees may be considered grounds for disciplinary action, up to and including dismissal.

4. Board Leadership.

The Board shall provide the College with strong leadership for meeting the increasing need for

higher education throughout the communities it serves. In this capacity, the Board shall:

- a. Create and maintain a spirit of cooperation with the President.
- b. Preserve the institutional independence of the College and defend its right to manage its own affairs through its chosen administrators and employees.
- c. Enhance the public image of the College.
- d. Nurture the institution so that it achieves its full potential.
- e. Establish goals for the College consistent with its role and mission.
- f. Take clear positions before the Texas Higher Education Coordinating Board and Texas Legislature on all matters regarding the College.
- g. Share its philosophy with the students, employees, and general public through regular participation at graduation and other ceremonies.
- h. Promote unity within the College at every opportunity, creating a community atmosphere.
- i. Promote pride and dignity amongst employees of the College by recognizing outstanding achievement.
- j. Protect the assets of the College to ensure financial stability.
- k. Always act solely and exclusively for the benefit of the College.
- l. Always act as a positive advocate for the College and if desired, for community college systems generally through service with ACCT or other community college trustee organizations.

ARTICLE D: ELECTIONS

The Board shall consist of seven members. Positions 1-5 shall be elected from Single- Member Districts, and Positions 6-7 shall be At-Large. All members shall serve without salary. The Board shall call an election of a Trustee or appoint a successor Trustee when a vacancy exists on the Board. Upon election, Trustees shall be presented with an official Certificate of Election and an appropriate emblem of office during a Board ceremony. College monies shall not be spent on individual campaigns. Trustees are elected to serve terms of six years, and can be removed from office only as allowed by law. The election of Board members shall be on the second Saturday in May according to the following schedule:

Districts I, IV and VI - 1989 and every 6 years thereafter

Districts III and II - 1991 and every 6 years thereafter

Districts V and VII - 1993 and every 6 years thereafter

See also Tex. Educ. Code §130.088, College of the Mainland Policies BBB (Legal), (Local) and (Exhibit).

ARTICLE E: OFFICERS OF THE BOARD

1. Election Of Officers.

Officers of the Board shall be elected by a majority of the total membership of the Board for two-year terms at the first regular meeting of the Board following the canvassing and seating of members of the Board in odd-numbered years, or at any time thereafter in order to fill a vacancy. The Board shall elect a Chair, Vice-Chair, and Secretary who shall serve in such capacities until the next Board election.

2. Vacancies On The Board.

Any vacancy occurring on the Board through death, resignation, or otherwise, shall be filled by a special election ordered by the Board or by appointment by resolution or order of the Board. If the vacancy occurs on a board whose members are elected, the person appointed to fill the unexpired term shall serve until the next regular election of members to the board, at which time the position shall be filled by election for a term appropriately shortened to conform with what regularly would have been the length of the term for that position. Tex. Const. Art. XVI, Sec. 27; Education Code 130.082(d).

3. Removal From Office.

Board members may be removed from office for:

- a. “Incompetency,” which means:
 - i. Gross ignorance of official duties;
 - ii. Gross carelessness in the discharge of those duties; or
 - iii. Unfitness or inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist at the time of election.
- b. “Official misconduct” means intentional, unlawful behavior relating to official duties by a Trustee entrusted with the administration of justice or the execution of the law. The term includes an intentional or corrupt failure, refusal, or neglect of a Trustee to perform a duty imposed on the Trustee by law or conviction of an offense relating to violation of purchase procedures.
- c. Intoxication on or off duty caused by drinking an alcoholic beverage, but not if caused by drinking an alcoholic beverage on the direction and prescription of a licensed physician.
- d. Conviction of a Trustee by a jury for any felony or for misdemeanor official misconduct.
- e. Nonattendance of Board meetings if the member is absent from more than half of the regularly scheduled Board meetings that the member is eligible to attend during a calendar year,

not counting an absence for which the member is excused by a majority vote of the Board.

- f. Actions for removal of Board members must be brought before the judge of the district court holding jurisdiction, except that any court convicting a Trustee of a felony or official misconduct shall order immediate removal.

4. Powers, Duties, And Responsibilities Of The Chair Of The Board.

- a. Preside over meetings of the Board pursuant to Robert's Rules of Order.
- b. Appoint all committee members, committee chairs, and designated alternates.
- c. Keep records of all Board transactions, in coordination with the Board Clerk.
- d. Serve as ex-officio voting member of all Board committees.
- e. Call special meetings of the Board.
- f. Perform duties and functions prescribed by the Board.
- g. Call and provide proper notice for a meeting of the Board to adopt a budget for the succeeding fiscal year.
- h. Sign all legal documents, including contracts, warrants, vouchers, and reports, as required by state or federal law, or a current edition of Board Policy.
- i. Decide all questions of order in accordance with Roberts Rules of Order, Newly Revised, as modified by Board Policy and/or laws. However, said rules may be suspended by a two-thirds vote of the board's total membership.
- j. Promote Board unity and share all information with other Board members in a timely fashion.

Should a vacancy be declared in the Board Chair position, the Board shall elect a permanent replacement to fill the remainder of the term.

5. Powers, Duties, And Responsibilities Of The Vice-Chair Of The Board.

- a. Act in the capacity and perform the duties of the Chair of the Board in the event of the absence, death, resignation, disability, or disqualification, and continue to serve in an interim capacity only.
- b. Become Chair only upon being elected to the position.
- c. Perform other duties as prescribed by the Board.
- d. Sign or attest to all legal documents in the absence of the Secretary, as required by state or federal law or Board Policy.
- e. Promote board unity and share all information with other board members in a timely fashion.

6. Powers, Duties, And Responsibilities Of The Secretary Of The Board.

- a. Attest to all contracts, deeds, conveyances, or other instruments required to be signed by the President.
- b. When the occasion demands, certify in the manner prescribed by law to the official acts of the Board.
- c. Assume the duties of the Chair of the Board in the absence of the Vice-Chair and Chair of the Board and on such occasions cause an Acting Secretary to be elected by the Board. The Acting Secretary shall assume the Secretary's duties for the meeting or meetings from which the Chair and Vice-Chair are absent.
- d. Promote Board unity and share all information with other Board members in a timely fashion.

ARTICLE F: COMMITTEES

1. General.

The Board shall perform its official duties and function through four standing committees, functioning as three-member committees. Special committees may be created for matters not assigned to standing committees when necessary. Committees have the same level of authority and make non-binding recommendations to the Board. Committees are limited to actions delegated to that committee by the Board.

2. Appointments.

The Board Chair shall appoint Board members to each committee. Committees will be assigned at the Board meeting following the election of the Chair of the Board for a two-year term. Appointed committees will have three Board members, including the committee chair. If a Board member becomes unable to continue serving on a committee, or the Board determines that a committee member should be removed, the Board Chair will appoint a replacement within thirty (30) days.

3. Meetings.

Committee meetings shall be called by the committee chair and duly posted, convened, and conducted in accordance with the Texas Open Meetings Act. Any Board member may attend and participate in discussion at any such committee meetings. Committees will meet no more than once monthly without prior approval from the Board Chair.

4. Attendance.

A quorum shall be declared as soon as a majority of the committee members are in attendance at the committee meeting. For the purposes of a quorum, alternate committee members are considered only if committee members are not present.

5. Voting.

A majority vote of a quorum of a committee is required for a committee recommendation from an appointed committee to be presented to the full Board for consideration. A committee recommen-

dation, however, does not constitute a final Board action, and therefore does not bind the Board. A committee recommendation from an appointed committee will be listed on the agenda for the next regular board meeting under the consent agenda.

6. Standing Committees.

- a. Finance/Audit. The Finance/Audit committee shall oversee the budget. The Finance/Audit committee shall assist the Board in fulfilling its fiduciary oversight responsibilities, and will approve the annual audit plan for recommendation to the full Board.
- b. Human Resources. The Human Resources committee shall oversee all human resources matters, including the appointment, reappointment, and termination of employees.
- c. Building and Grounds. The Building and Grounds committee shall oversee the college capital improvement and maintenance plan and master planning.
- d. Policy and Community Relations. The Policy and Community Relations committee shall consider all issues affecting Board activities, Board training, Board marketing, Board communications, Board outreach, and all Board policies. The Policy and Community Relations committee shall also consider all issues regarding legal and legislative matters, economic development, small business, and College marketing and communications.

7. Special Committees.

Special Committees consisting of Board members may be created by the Chair of the Board, or may be elected by the Board. Such committees shall perform their assigned duties and functions in accordance with the instructions, if any, given them by the Board or the Board Chair. Unless specified as standing committees, when such committees have performed the duties and functions assigned them by the Board or the Board Chair, have made their recommendations, reports or have taken such action permitted and authorized by their instructions, they shall be automatically discharged. No special committee can exist for longer than one year unless reestablished. Such committees shall function in a fact-finding or advisory capacity.

ARTICLE G: PERSONNEL APPOINTED BY AND REPORTING DIRECTLY TO THE BOARD

1. APPOINTMENTS.

All appointments by the Board shall be made in accordance with Board policy and state law.

2. PRESIDENT.

The President shall be the chief executive officer of the College and as such, shall recommend the organizational plan for the College as well as candidates for administrative and faculty positions within the College. The Board shall evaluate the President on an annual basis. The President has a fiduciary duty to the College, including, but not limited to, the duty to:

- a. Develop a qualified administrative organization and providing the College with academic and fund-raising leadership.

- b. Prepare the annual budget and submit it to the Board for approval.
- c. Establish administrative relationships among members of the College community.
- d. Prepare and approve the curriculum.
- e. Appoint campus committees, as needed.
- f. Prepare the agenda for Board meetings in coordination with the Board Chair and make regular reports to the Board regarding the status of the College.
- g. Promote College political effectiveness at the state and local levels.
- h. Supervise the development and implementation of a system to evaluate faculty and staff.
- i. Assist the Board in policy development, its yearly self-assessment, and meeting its own training requirements.
- j. Forge a relationship of mutual respect with each Trustee.
- k. Enforce fiduciary and academic accountability of the College to the general public.
- l. Promote College unity at all levels, emphasizing equality, diversity, and respect for all individuals.
- m. Interpret the College to the community.
- n. Provide the Trustees with important information in a timely manner before all others and having background information and research compiled on issues of particular importance to the Board, with sufficient time for study by Trustees before a vote.
- o. Serve as the official spokesperson for the College.
- p. Maintain open channels of communication throughout the College.
- q. Handle employee disciplinary issues, including termination when appropriate.
- r. In the event of a catastrophe, emergency, or natural disaster affecting the College, contract for the replacement, construction, or repair of College equipment, or facilities if emergency replacement, construction, or repair is necessary for the health and safety of College students and staff.
- s. Enhance the image and well-being of the College.

3. External Auditor And Internal Auditor.

- a. External Auditor. The External Auditor shall be an independent and objective party to provide advice to the Board. The External Auditor shall be appointed by the Board, upon the recommendation of the President, and shall report directly to the Board, with access to

the President. The Board will periodically evaluate the performance of the External Auditor and may dismiss or assign a new External Auditor at any time with or without cause. All engagement letters with the External Auditor shall be signed by the Board Chair.

An auditing firm selected by the Board as External Auditor is not eligible to submit a proposal immediately following any period during which it was engaged by the Board as External Auditor. The selected External Auditor may not serve simultaneously as the Internal Auditor.

The Board shall outline its expectations regarding the annual financial statement audit and performance audit, if requested, and as may be directed by the Board. The Board also may arrange for self-requested audits to perform specific audit services. The External Auditor shall evaluate all financial operations of the College and prepare reports to the Board. The duties of the External Auditor will be assigned by the Board, and may include the following:

- i. Audit activities necessary to assure that College resources are being properly managed and accounted for, that the College has effective and adequate internal controls, and that internal operating controls are reliable.
- ii. Assure that the College is complying with approved policies and statutory requirements.
- iii. Perform all duties in accordance with the Standards for the Professional Practice of Internal Auditing, the Code of Ethics, and the Texas Internal Auditing Act. See Tex. Gov't Code Ch. 2102.
- iv. Meet regularly with the Board to review audits performed, audits in progress, and future audits, as requested by the Board.

The External Auditor is prohibited from providing non-audit services to COM.

- b. Internal Auditor. The Internal Auditor shall provide advice to the President, shall report administratively to the President, and shall report functionally to the Board. The Internal Auditor shall be selected by the Board from candidates approved and provided by the President. The Board and the President shall agree on the necessary job qualifications to be included in the position posting. The President shall recommend three (3) names to the Board as the finalists. The Internal Auditor shall be evaluated by the President after consultation with the Finance and Audit Committee and may only be dismissed by the President after obtaining approval of the Board. Duties of the Internal Auditor include:
 - i. Assure that the College is complying with approved policies and statutory requirements.
 - ii. Develop an annual audit plan for the College to present to the President and the Audit Committee for Board approval.
 - iii. Coordinate audit efforts with those of the External Auditor, as appropriate.

- iv. Perform all duties in accordance with the Standards for the Professional Practice of Internal Auditing, the Code of Ethics, and the Texas Internal Auditing Act. See Tex. Gov't Code Ch. 2102.
- v. Meet regularly with the Board and the Audit Committee to review audits performed, audits in progress, and future audits.
- vi. Conduct independent, protective, and constructive audits so as to review effectiveness of controls, financial records, and operations.
- vii. Analyze data obtained for evidence of deficiencies in controls, duplication of effort, or lack of compliance with College policies and procedures.
- viii. Prepare reports and make recommendations on findings to the President and the Board.
- ix. Provide audit education and Internal Control training.
- x. Offer advisory services, Control Self-Assessment (CSA) services, and workshops.
- xi. Any other duties or responsibilities included in the Texas Internal Auditing Act, Tex. Gov't Code Chapter 2102, or other applicable standards, guidelines, or regulations.

4. Board Counsel.

The Board Counsel shall provide legal advice to the Board. The Board Counsel shall be appointed by the Board, shall report directly to the Board (with access to the President), and may be dismissed or reassigned by the Board without cause. The Board Counsel shall represent the College in all assigned legal matters. Duties of the Board Counsel include:

- a. Provide advice and counsel to the Board.
- b. Maintain the Board Bylaws and certain Board policies and procedures, and recommend amendments, as needed.
- c. Handle assigned legal matters for or on behalf of the College, such as preparation of legal opinions as requested by the Board or the President.
- d. Render legal services in connection with assigned legal matters.
- e. Perform any other legal services as may be required by the Board or requested by the President.

Upon recommendation of the President, or on its own motion, the Board may employ other outside counsel to address legal matters in special situations. The outside counsel shall report directly to the Board, with access to the President.

5. FINANCIAL ADVISOR.

The Financial Advisor may be appointed by the Board, upon recommendation of the President, shall

report directly to the Board, with access to the President, and may be dismissed or reassigned by the Board without cause. The Financial Advisor shall offer guidance to the Board in all financial matters. Duties of the Financial Advisor include:

- a. Evaluating College indebtedness.
- b. Recommending asset allocation.
- c. Evaluating investment strategies.
- d. Evaluating acquisition strategies.
- e. Evaluating long and short term financial planning.

The Board shall select the Financial Advisor for a designated period, not to exceed five (5) years, and shall rotate Financial Advisors every five (5) years.

ARTICLE H: MEETINGS OF THE BOARD

1. Open Meetings.

The Board shall hold regular meetings for purposes of handling College business. All meetings shall be held in compliance with the Texas Open Meetings Act. Citizens are welcome to attend meetings of the Board. Trustees shall adhere to the Board Code of Conduct and promote Board Leadership at all times.

2. Definitions.

- a. A “meeting” occurs when:
 - i. A quorum of members of the Board deliberate with each other or with any other person; and
 - ii. Such quorum discusses, considers, or takes formal action on public business or public policy that the Board supervises or controls.
- b. “Deliberation” means an exchange, verbal, electronic, or otherwise, between a quorum of Board members (or between them and any other person) concerning any issue within the jurisdiction of the Board or any public business.

No deliberation that affects public business is allowed to take place in any setting other than a duly posted meeting of a quorum of Board members.

3. Time And Location.

Unless otherwise provided, the regular meeting of the Board shall be held on the fourth Monday of each month at the Appomattox Meeting Room or other buildings of the College at a time set by the Board. Such meetings may be recessed from day to day until the completion of business. The time for special and emergency meetings of the Board shall be as stipulated in the notice for the meeting.

4. Notice.

Written notice of all meetings shall be posted at the central administration building and the website by the Board Clerk. Furthermore, notice shall be furnished for posting to the Galveston County Clerk and to the media upon request. Notice of all meetings shall provide for the possibility of a closed or executive session during an open meeting, as provided by law.

5. Voting.

Each Trustee's vote, or failure to vote, shall be recorded by name. No proxy votes shall be allowed. Other than situations in which a two-thirds vote is required, a majority vote of the total membership of the Board will be required in order for the Board to act.

6. Order Of Business.

The Board Chair and the President shall decide the order of business for meetings.

7. Agenda.

At the direction of the Board Chair, the President shall prepare and present an agenda at least seven (7) calendar days prior to the regular Board meeting. An item shall be added to the agenda by written request of any other Board member submitted to the President or Board Chair at least seven (7) calendar days prior to the meeting.

8. Rules Of Order.

Robert's Rules of Order (most current edition) shall constitute the rules of procedure applicable to all meetings of the Board, when not in conflict with any provisions of law or these Bylaws. The Board may suspend the rules, as needed, by a two-thirds vote of the composition of the full Board.

9. Minutes And Recordings.

The Board shall prepare and keep minutes and/or make a recording of each open meeting. The minutes and recordings are public records and shall be available for public inspection and copying upon request to the Board office. Any person in attendance can make an audio or video recording of any or all of an open meeting, subject to reasonable rules adopted by the Board to maintain order.

10. Special Meetings.

Special meetings of the Board may be called by either the Board Chair at his/her own discretion, or by the independent requests of two (2) Trustees who must call for the meeting in writing submitted to the Board Chair, specifying the date, time, place, and purpose of the meeting. Special meetings must be duly posted.

11. Emergency Meetings.

Notice of all emergency meetings shall include the date, hour, place, and subject of the meeting. Such notice will also express the nature of the emergency or urgent public necessity which requires

an emergency meeting. Such notice of an emergency meeting will be posted in accordance with the Texas Open Meetings Act. The presiding officer or member calling such meetings shall initiate notification to all news media which have previously requested such notice. Emergency postings must be approved by Board Counsel.

12. Closed Meetings/Executive Session.

Trustees, employees, and agents of the College shall not divulge to any person the substance of matters discussed at any closed meeting, except as otherwise required or allowed by law. Closed meetings shall be held as allowed by law to have discussions and deliberations of College matters that cannot be made public. A further objective would be to protect the attorney-client privilege recognized by law.

13. Prohibitions.

No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act. No Board member shall knowingly close or aid in closing a regular meeting to the public (except as permitted under the Open Meetings Act). No Board member shall participate in a closed meeting that is not permitted under the Open Meetings Act.

14. Citizen Participation.

The Board shall provide opportunities at its meetings for citizens to address the Board, but shall impose reasonable restraints on the number, length, and frequency of presentations, so long as it does not unfairly discriminate among views seeking expression.

15. Disruption.

It is a criminal offense for a person, with intent to prevent or disrupt a lawful meeting, to substantially obstruct or interfere with the meeting by physical action or verbal utterance. The Board may immediately remove from the meeting any person causing a substantial disruption.

16. Social Functions And Related Events.

The Board may congregate for social functions, such as meals or festivities, but shall refrain from discussing issues under consideration by the Board for a Board vote. Trustees may gather in a quorum at a social function unrelated to the public business of the College, or at a regional, state or national convention or workshop, if formal action is not taken. Such gatherings are not “meetings” under the law and no public notice is required to attend such gatherings. (Tex. Govt. Code 551.001).

ARTICLE I: BOARD OPERATIONS

1. Evaluation.

The Board shall, on a regular basis, evaluate the efficiency and effectiveness of Board operations for the benefit of the College. With the assistance of the President's staff, operations shall be continuously streamlined and modernized for the efficient dispensation of College business. The community image of the College and the Board shall be periodically assessed for possible changes in Board operations.

2. Efficiency.

For maximum efficiency, the following rules of operation shall be followed:

- a. Board Meetings.
 - i. All Board meetings shall begin promptly.
 - ii. Meetings shall be held during hours appropriate for maximum Board involvement and public participation.
- b. Board Agenda.
 - i. The agenda must be officially posted 72 hours prior to the meeting, in accordance with the requirements of the Texas Open Meetings Act. For an emergency meeting, the agenda must be posted 2 hours in advance. Emergency postings must be approved by Board Counsel.
 - ii. Supplementary (or explanatory) information should be sent to Trustees well in advance of the general meeting.
 - iii. Trustees shall be provided with all necessary background information on any issue being considered for a vote, no later than five days prior to said vote.
 - iv. Agenda items shall have policy referral numbers for easy reference by Trustees.
 - v. Fiscal impact for agenda items shall be clearly provided for each agenda item.
- c. Consent Agenda. In an effort to streamline the regular agenda to allow Trustees to focus on critical issues, committee recommendations and routine agenda items shall be placed on the consent agenda.

3. Public Statements And The Media.

The Board shall be encouraged to speak with one voice, through the Board Chair (or in his or her absence, the Vice- Chair), regarding College matters before the press.

4. Training.

The Board recognizes its responsibility to be actively and continuously engaged in developing individual board member's skills and knowledge by keeping them abreast of new developments in fiduciary, governance, and ethics laws, norms and best practices. The Board shall, therefore, have an orienta-

tion and development process in place. Board members may also attend regional, state, or national conventions, conferences, and workshops, and will be reimbursed for reasonable travel expenses for attendance at such as provided in the Board Compensation and Expenses Policy. See Board Policy BBG (Local) and DEE (Local). On an annual basis, Board Counsel will review all policies that address Board operations and will carry out, any necessary training for the Trustees and Staff, as follows:

- a. **General Requirement.** Each Trustee shall participate in the COM Annual Trustee Orientation program, a training session of at least two hours conducted by Board counsel and other independent professionals, as needed. The program will include ethics training and finance training.
- b. **Mandatory Open Government Training.** Each Trustee shall, pursuant to Texas law, complete two hours of open government training, one hour each on open meetings and the public information act. This training must be completed within 90 days of being sworn in to serve. The Office of the Attorney General provides free online or video training to satisfy this requirement.
- c. **Mandatory Training with Texas Higher Education Coordinating Board.** Within the first two years of service, each Trustee shall, pursuant to Texas law, complete a training program established by the Texas Higher Education Coordinating Board pursuant to Section 61.084 of the Texas Education Code. Board members taking office on or after January 1, 2016, must complete this training within the first year of service. The minutes of the last regular meeting of the calendar year must reflect whether each required member completed the training. Training via electronic means is also acceptable.
- d. **Mandatory Investment Training.** Within six months after taking office or assuming duties, each Trustee shall, pursuant to the Public Funds Investment Act (Texas Government Code, Chapter 2256), complete at least one training session relating to the Trustee's investment responsibilities, including training in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with Chapter 2256 of the Texas Government Code.

5. Self-Assessment Of The Board.

The Board shall evaluate its own performance and shall establish its goals on a yearly basis. The self-assessment of the Board shall consist of:

- a. Review of the Board Bylaws.
- b. An assessment of Board expenditures and savings for the year.
- c. An estimation of Board budgetary needs for the following year.
- d. An evaluation of Board accomplishments in setting policy, uniting the community in and out of the College, managing debt, and improving the College.
- e. An assessment of Board Governance and Operations.

- f. An assessment of the Board Office functions (Board office staff shall be evaluated by the President).

6. Requests For Documents.

The College is committed to assuring open and public access to all records of the College to the extent permitted by law. The Board Chair will review each request for documents submitted by a Board member, and if the Board Chair determines that the request does not reasonably relate to official Board member issues, he or she will instruct the Board member submitting the request to submit an Open Records request in compliance with the Texas Public Information Act. The Board member must submit their request in accordance with the provisions of the Act and any existing COM Open Records policy. In addition, the Board member shall be solely responsible for any fees and costs associated with the request. The President's office shall notify each Board member of all requests for documents from a Board member and shall make a copy of responsive documents available to all Board members at their request.

Board Policies

The Local Policy Manual contains legally referenced and local policies governing the operation of the College of the Mainland. College of the Mainland developed this manual with the assistance of the Texas Association of School Boards (TASB), which provides ongoing updating services so that the manual may remain a current and reliable document.

This manual adheres to certain structural conventions. The most visible of these conventions is the presence of separate (LEGAL) and (LOCAL) policies at many policy codes. This separation, described in greater detail below, serves to help all users—whether members of the public or members of the Board—distinguish between the requirements of an extensive body of law and the policy determinations of the local Board.

The Local Policy Manual is organized according to the TASB codification system. There are seven sections, each devoted to a separate area of College District governance:

- A — Basic District Foundations
- B — Local Governance
- C — Business and Support Services
- D — Personnel
- E — Instruction
- F — Students
- G — Community and Governmental Relations

COM's Policies can be found online at <https://pol.tasb.org/Home/Index/497>

Regulations

College of the Mainland has chosen to supplement its manual with pages defining administrative procedures to assist in implementation of policy. These are identified by the designation (REGULATION). Administrative regulations should remain under the authority of the Chief Executive Officer and should not be formally adopted by the Board.

COM's Regulations can be found online at <http://www.com.edu/regulations>



Board Information

TRAINING INFORMATION FOR GOVERNING BOARD MEMBERS

Mandatory Training

Texas Higher Education Coordinating Board's Annual Higher Education Leadership Conference - Austin

www.thecb.state.tx.us

THECB Intensive Short Course for Governing Board Members (mandatory before voting)

<http://www.thecb.state.tx.us/intensive.short.course>

Open Meetings Training

https://www.oag.state.tx.us/open/og_training.shtml

Investment Training; State Agency Board Members and Officers

<http://pacs.unt.edu/cpm/content/investment-training-video>

Public Information Act Training

<https://www.texasattorneygeneral.gov/og/pia-training>

Recommended Online Training

Accreditation and Community College Trustees (2018)

<http://www.acct.org/product/accreditation-and-community-college-trustees-2018>

Training Requirements for Governing Board Members of Texas Public Institutions and Systems of Higher Education

Texas statutes require certain training for governing board members of Texas public institutions and systems of higher education. The information summarized in the table below and on subsequent pages is provided by the Texas Higher Education Coordinating Board (THECB) to assist new governing board members in complying with these training requirements.

Legal Requirement	Satisfied By	Texas Statute
Before voting on a budgetary or personnel matter, each governing board member who <u>holds an appointive</u> position and whose first year of service on the governing board begins on or after January 1, 2016, must complete the intensive short orientation course that includes best practices and transparency in trusteeship and governance.	The THECB offers a free online Intensive Short Orientation Course. Satisfactory completion of an assessment test (70%) subsequent to completing the course satisfies this legal requirement.	Texas Education Code, Section 61.0841 (Intensive Short Course for Appointed Members of Governing Boards)
During the member's first year of service as a member of a governing board, each governing board member who <u>holds either an elective or appointive position</u> must attend a training program that is focused on the official role and duties of the members of governing boards and that provides training in the areas of budgeting, policy development, and governance.	1) Attendance at the day-long orientation that is offered annually in the fall as part of the THECB's annual Higher Education Leadership Conference satisfies this legal requirement; or 2) Videos from the THECB's orientation for newly appointed regents and elected trustees are also available online approximately one month after the Leadership Conference for those who are unable to attend the conference in person. Satisfactory completion of an assessment test (70%) subsequent to watching the videos satisfies this legal requirement.	Texas Education Code, Section 61.084 (Training for Members of Governing Boards)
Not later than the 90th day after the date the member takes the oath of office or otherwise assumes responsibilities as a member of the governmental body, each governing board member who <u>holds either an elective or appointive position</u> must complete a course of training regarding the responsibilities of the governmental body and its members under the Open Meeting Act and the Public Information Act.	The Office of the Attorney General offers free online video training courses that satisfy this legal requirement.	Texas Government Code, Section 551.005 (Open Meetings Training) Texas Government Code, Section 552.012 (Open Records Training)
Within six months after taking office or assuming duties, each governing board member who <u>holds either an elective or appointive position</u> must attend at least one training session relating to the person's investment responsibilities.	The University of North Texas, Center for Public Management offers the video "Protecting Public Funds: The Responsibilities of Governing Boards under the Public Funds Investment Act" for order that satisfies this legal requirement.	Texas Government Code, Section 2256 (Public Funds Investment)

RECENT BOARD MEETING AGENDAS AND PACKET

In accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551, COM Board of Trustees holds regular monthly meetings. Information on recent Board Meeting Agendas including Board Packets can be found online at:

<https://v3.boardbook.org/Public/PublicMeetingMaterials.aspx?ak=84503&mk=50283310>

COM 2025 PLAN TO ADVANCE STUDENT SUCCESS

Having just celebrated 50+ great years of service to its region, the College of the Mainland (COM) remains relatively young compared to many college and university campuses across Texas. But since its inception in 1966 and the rolling out of an initial master plan, the main campus' infrastructure and most original facilities have remained mostly unchanged. The college has conducted four significant building projects in 40+ years. Accordingly, the college began an intensive master planning process in the summer of 2015 that included the following assignments: Demographics Study, Utilization Study, Facilities Assessment, Faculty Surveys, and comprehensive Campus Master Planning. View the complete 2025 Plan to Advance Student Success online at:

<http://www.compass2025.com/>

THE ECONOMIC VALUE OF COLLEGE OF THE MAINLAND

College of the Mainland creates value from multiple perspectives. The college benefits local businesses by increasing consumer spending in the region and supplying a steady flow of qualified, trained workers into the workforce. It enriches the lives of students by raising their lifetime earnings and helping them achieve their individual potential. It benefits state and

local taxpayers through increased tax receipts across the state and a reduced demand for government-supported social services. Finally, it benefits society as a whole in Texas by creating a more prosperous economy and generating a variety of savings through the improved lifestyles of students. The complete Economic Impact Study reflecting fiscal year 2015-16 can be found at:

<https://www.com.edu/opear/economic-impact-study>

STRATEGIC PLAN AND ANNUAL PLANS

The strategic plan consists of six strategic goals, each of which represents the mission of a particular Student Success Council (SSC) committee. The six SSC committees represent key elements of the student's experience at the College of the Mainland. The committees are each dedicated to a particular mission identified to support student success. All of these strategic goals are driven by the mission, vision, and values of the College. The strategic goals, approved by the Board of Trustees for the period of 2014-2018, are listed below:

1. College of the Mainland will develop processes and procedures to ensure that students have a successful start to their college experience.
2. College of the Mainland will eliminate obstacles from the student's pathway as they proceed on their academic journey.
3. College of the Mainland will enhance student engagement, keeping the students interested in staying on course.
4. College of the Mainland will provide high-quality instruction and instructional support services.
5. College of the Mainland will provide

- services/processes that enhance the integrity/safety/quality of the institution (including physical facilities) and that enhance the quality of the faculty and staff.
6. College of the Mainland will provide services/processes that connect the College to the community in a mutually growth-enhancing cycle.

Each year the College leadership meets in January to establish the Annual Plan, which consists of priorities for the following academic year. The leadership consists of the BOT, the President, the President's Cabinet, upper-level administrators, and campus constituency leaders, who collectively bring to

the discussion knowledge of essential aspects of the College's operations. The leadership identifies an annual priority for each of the College's strategic goals, and these annual priorities guide the decision-making of the SSC committees dedicated to the realization of each goal. Those annual priorities are entered into Strategic Planning Online as the College's Annual Plan, where measurable outcomes are identified and documented.

Thus, the three-year strategic plan consists of the three annual plans developed to implement specific strategies in support of each of the strategic goals.

<https://www.com.edu/opear/strategic-planning>

HELPFUL RESOURCES

Open Meetings Act Handbook

https://texasattorneygeneral.gov/files/og/OMA_handbook_2018.pdf

Public Information Act Handbook

https://www.texasattorneygeneral.gov/files/og/PIA_handbook_2018.pdf

The Economic Value of College of the Mainland

<https://www.com.edu/opear/economic-impact-study>

Association of Community College Trustees

<https://www.acct.org/>

Community College Association of Texas Trustees

<https://www.texastrustees.org/>

TASB General Resources (including Community College Board Member's Guide to Policy Management)

<https://www.tasb.org/Services/Community-College-Services/Resources.aspx>

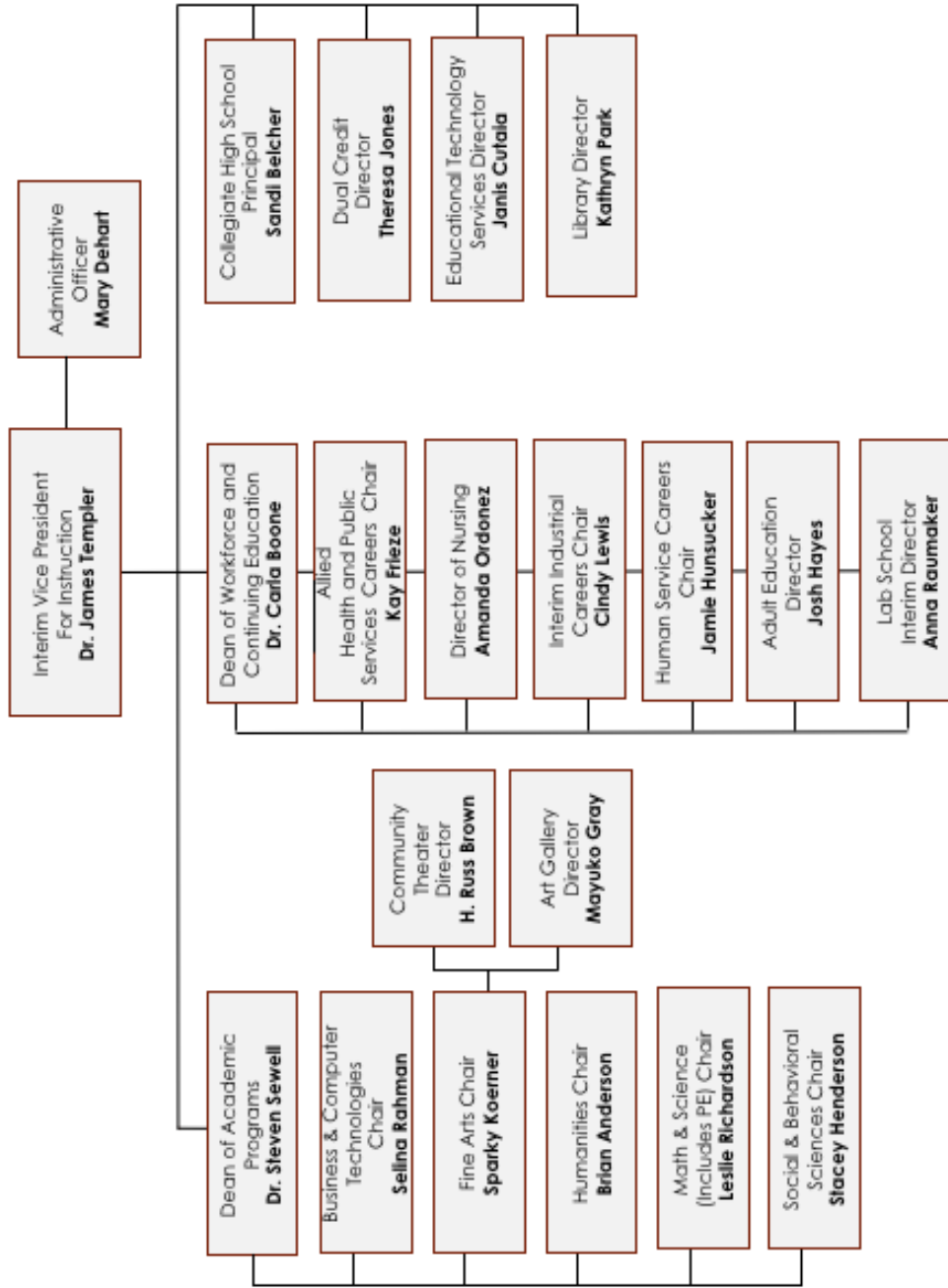
SACSCOC Principles of Accreditation: Foundations for Quality Enhancement

<http://www.sacscoc.org/pdf/2018PrinciplesOfAccreditation.pdf>

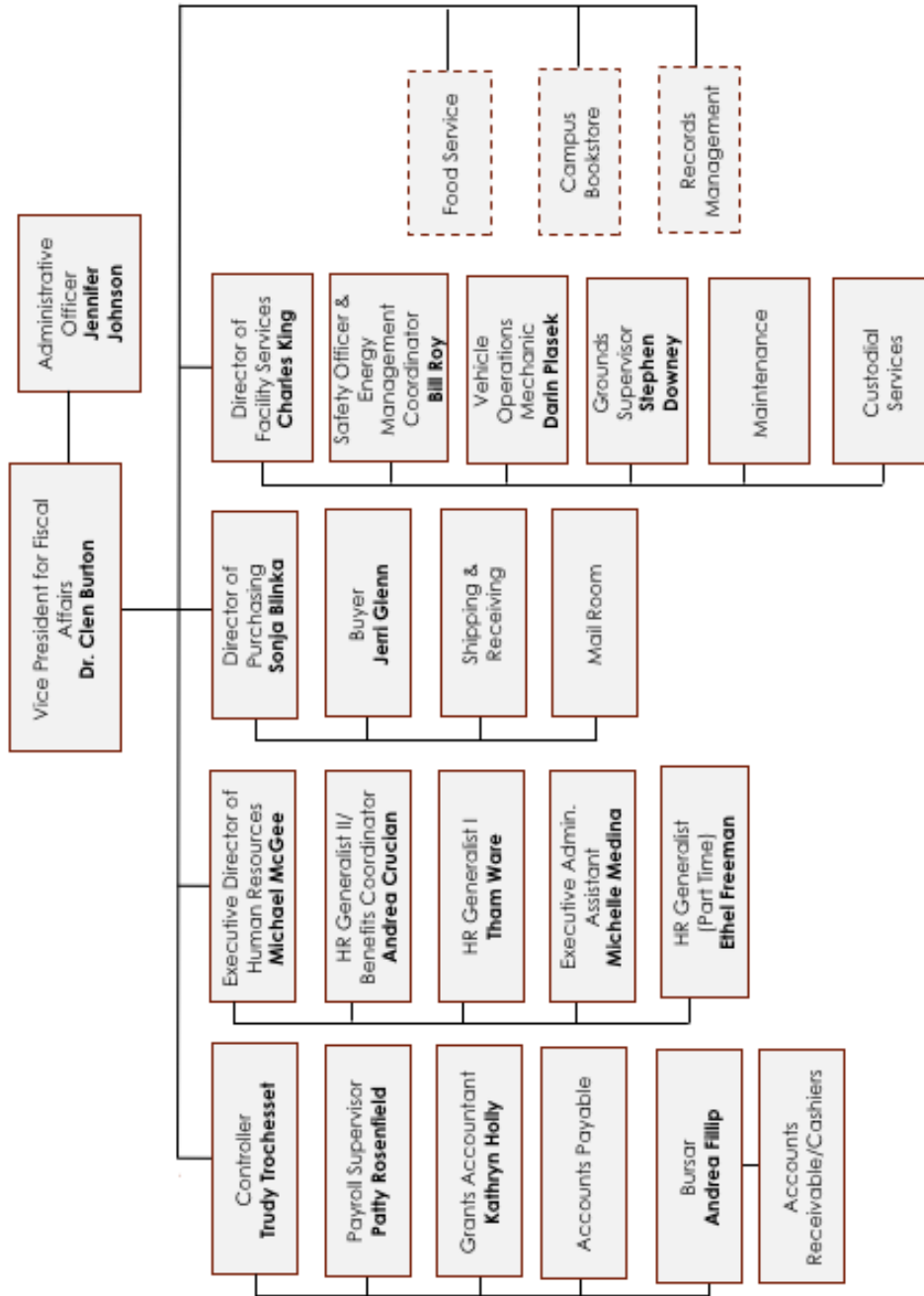


APPENDIX A: Division Organizational Charts

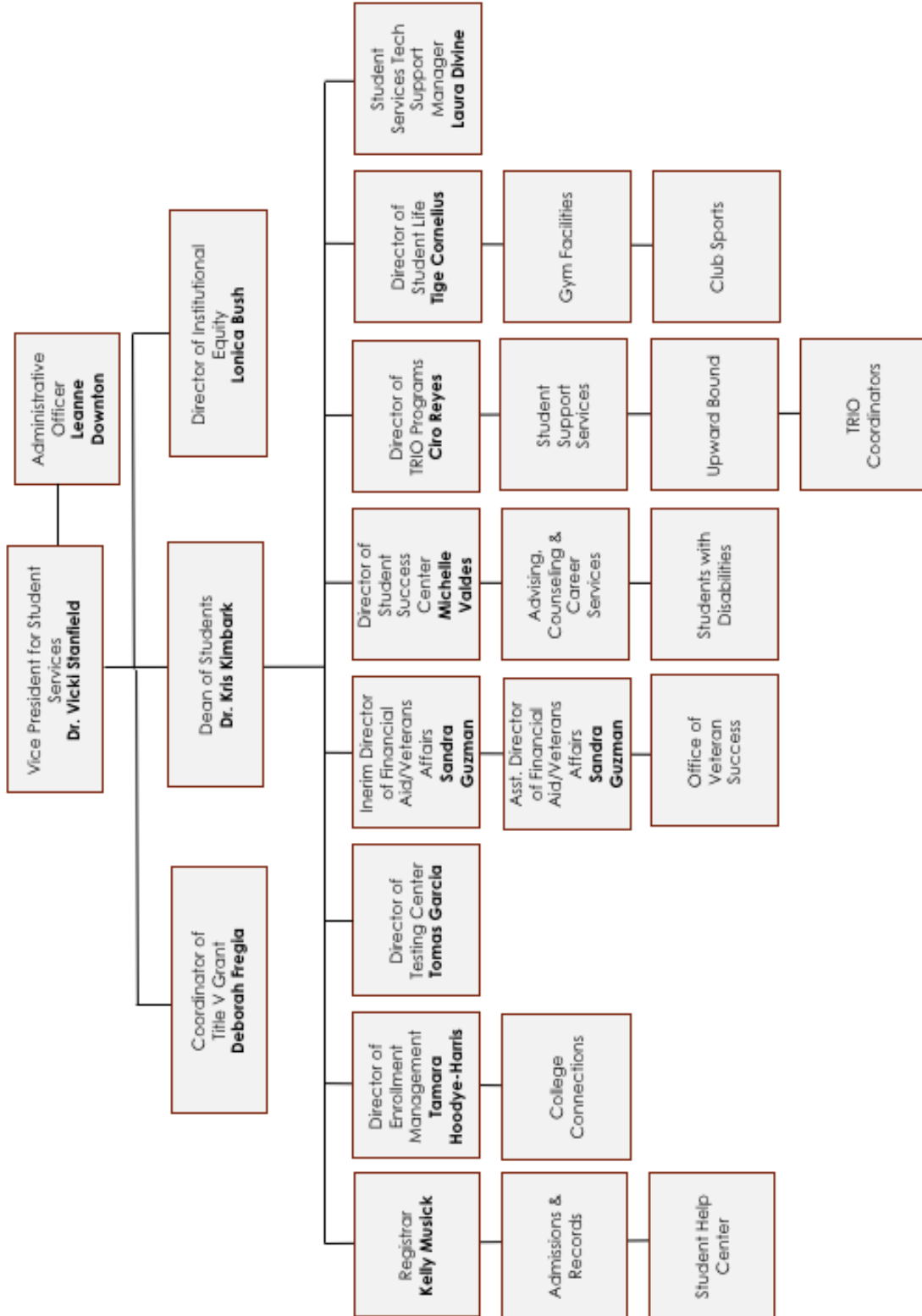
ORGANIZATION CHART: INSTRUCTION



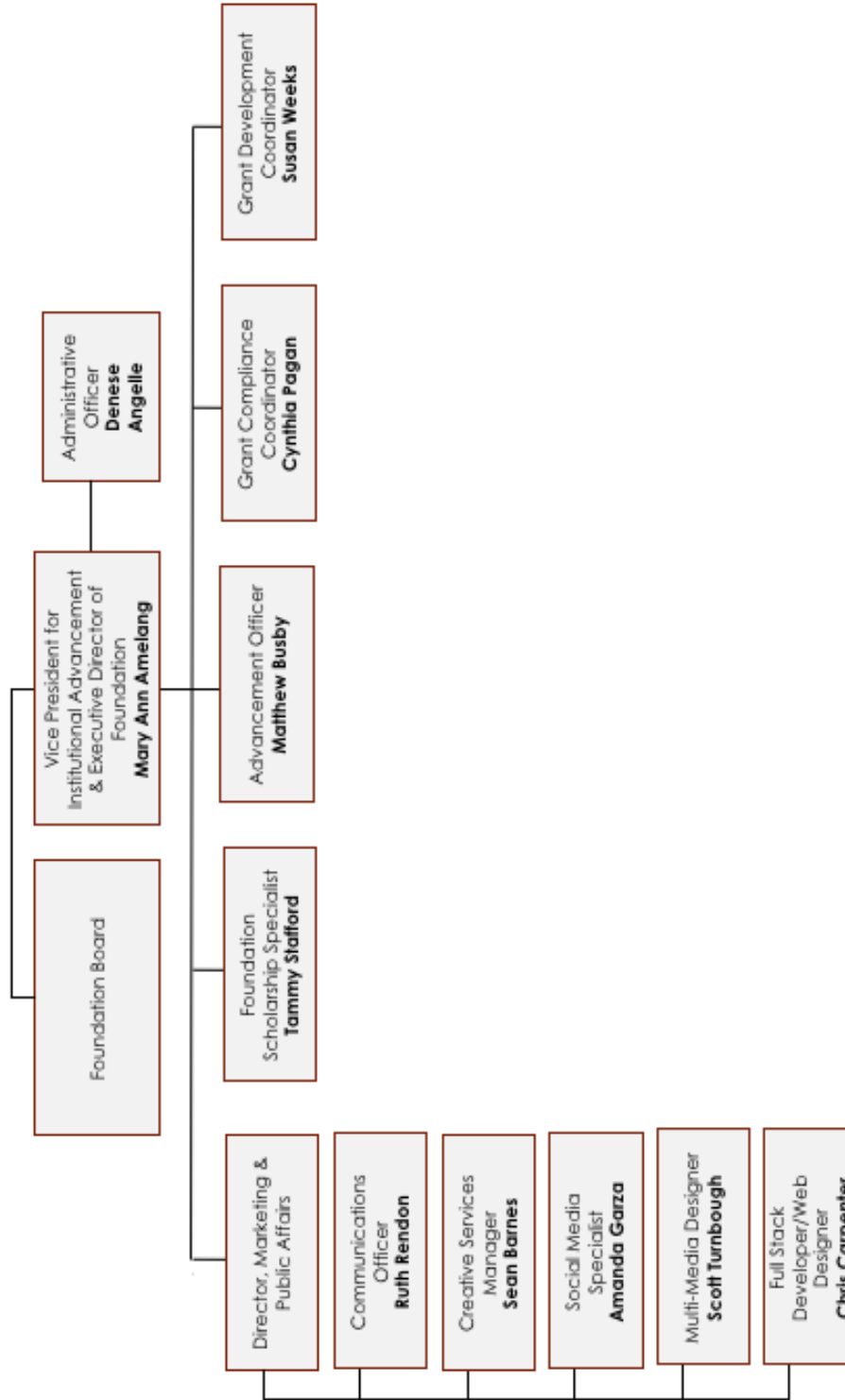
ORGANIZATION CHART: FISCAL AFFAIRS



ORGANIZATION CHART: STUDENT SERVICES



ORGANIZATION CHART: INSTITUTIONAL ADVANCEMENT





APPENDIX B: Conflict of Interest Disclosure Form

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

OFFICE USE ONLY

Date Received

1 Name of Local Government Officer

2 Office Held

3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.

5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

(attach additional forms as necessary)

6 AFFIDAVIT

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

Signature of Local Government Officer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day
of _____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, if the vendor: a) has an employment or other business relationship with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code; b) has given to the local government officer or a family member of the officer one or more gifts as described by Section 176.003(a)(2)(B), Local Government Code; or c) has a family relationship with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 4. Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship the vendor has with the local government officer or a family member of the officer as described by Section 176.003(a)(2)(A), Local Government Code, and each family relationship the vendor has with the local government officer as defined by Section 176.001(2-a), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Affidavit.** Signature of local government officer.

Local Government Code § 176.001(2-a): "Family relationship" means a relationship between a person and another person within the third degree by consanguinity or the second degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code.

Local Government Code § 176.003(a)(2)(A):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that:

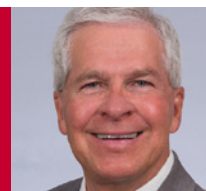
- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.



APPENDIX C: The President's Evaluation 2017



A MESSAGE FROM OUR PRESIDENT



The PRESIDENT'S EVALUATION 2017



*Advancing
Toward Our
Strategic Goals*

Greetings!

Each year the College's Board of Trustees evaluates the performance and effectiveness of the College President. This year, that evaluation takes place after the President has been on the job for less than ten months.

I have asked the Board that this evaluation be public from a strong belief that the significant, positive progress we can show since February has been accomplished through the efforts of the entire college.

I am proud to serve with an outstanding Board of Trustees, and work with administrators and faculty who understand the need for change and have united behind a common vision. I am equally proud and grateful for a support staff that daily "goes the second mile" in service of our students. We have put the needs and concerns of our students first, and it shows.

It is no wonder students say, time and time again, that COM employees care, and the College feels like family.

Together, we have implemented bold initiatives that will help our students succeed in greater numbers and to a greater degree than ever before. We have laid out a plan to renovate and improve our buildings and learning environment. And we are communicating our opportunities and accomplishments to our stakeholders more aggressively than ever before.

There has never been a better time to work at College of the Mainland! Thank you for letting me be a part of this season of progress.

Sincerely,

Dr. Warren Nichols
President

DECEMBER 11, 2017

GOAL 1: STUDENTS



Student success is our top priority. College of the Mainland will be the college of choice for our community.

Measurable Outcomes:

- 1.1 College of the Mainland will increase Full-Time Equivalent (FTE) to 4,000 by 2025. (5% growth per year)
- 1.2 College of the Mainland will increase the number of degrees and certificates to 1,300 per year by 2025 (8% growth per year).
- 1.3 The average time to complete a degree will decrease from 5.01 years to 4.0 years by 2025
- 1.4 The average credit per degree will decrease from 101 semester credit hours (SCH) to 70 SCH by 2025.

Progress:

In his first year, the President has provided leadership and focus to improve student success.

Added Sections

At the President's direction that new class sections be added when a section became 90% full, the College added 51 additional sections during the summer terms, resulting in an 11% increase in summer enrollment.

Finish Faster

At the President's direction, the College implemented Finish Faster, a co-requisite program for developmental education that has helped other colleges across the nation achieve greater enrollment and dramatically increase retention rates. College of the Mainland was among the first colleges in Texas to implement a co-requisite program, which is now mandated by the Texas State Legislature for all colleges to implement within two years.

Because Finish Faster began with the fall 2017 semester, results cannot be measured at this time, but there are strong indications that the program is partially responsible for the College's 8.6% enrollment increase over fall 2016, and its highest mark since 2010.

Reduction of Semester Credit Hours

At the President's direction, College of the Mainland is taking steps to help students complete their college degree faster by reducing the number of excessive Semester Credit Hours (SCHs) that students attempt for an associate degree—from an average of 101 to 70 SCHs. Not only does the reduction of SCHs help students

achieve their higher education goals faster, it also keeps students from accumulating excessive student debt.

Strategic Plan for Higher Education

The President is leading the College's effort to implement the strategies imposed by the Strategic Plan for Higher Education in Texas. He has given Trustees a plan to double the number of annual degrees and certificates by 2025, for assuring that 60% of residents in COM's service area ages 25-34 have a postsecondary credential or degree by 2020, and that all COM graduates complete their programs with identified marketable skills.

Increasing FTEs

The President is directing a plan that will increase the College's full-time "equivalency" enrollment to 4,000 by 2025. Full-Time Equivalency (FTE) enrollment now stands at 2,800.

Changing "Default Math"

The President is directing the implementation of a plan that will make College Algebra no longer the default math requisite for most college majors. Allowing students to select a math more appropriate to their major has proven to greatly influence student persistence and success.

Guided Pathways

The President is encouraging College of the Mainland in its implementation of Guided Pathways. This initiative works to accelerate student's path to a degree or certificate. At COM, this means students are guided in workforce training and academics simultaneously, allowing a student to complete their educational goals and enter the workforce faster.

GOAL 2: STAFF, FACULTY, ADMINISTRATION



Create an environment that retains and attracts administrators, faculty, and staff committed to serving our students

Measurable Outcomes:

- 2.1 Ensure that employee compensation and benefits are and remain competitive with peer Texas community colleges and the surrounding Houston business community by 2018.
- 2.2 Support of employee continuing education and professional development in order to achieve and maintain a high-performing, highly engaged workforce. By 2020, 75% of employees will participate in 40 hours of professional development per year. (Use Gallup 12 to measure employee engagement)
- 2.3 Increase community wide engagement among administrators, faculty, staff and trustees. Metric: participation rates in local chambers, Lions clubs, campus event attendance, and committee assignments
- 2.4 Deliver workshops, seminars, and course work promoting effective teaching, learning and assessment practices. Metric: satisfaction rating of participants
- 2.5 Create a collaborative environment for faculty and staff that promotes thoughtful discussion on the pedagogical aspects of teaching and learning by 2019

Progress:

The President is taking bold steps to help the College build a culture of trust and an environment that attracts and retains outstanding employees, as evidenced by these recent initiatives:

Multi-Year Contracts

At the President's direction, the College is offering multi-year contracts to new full-time faculty.

Expanded Cabinet Membership

At the President's direction, the President's Cabinet now includes the current chairman or president of the Faculty Senate, Professional and Classified Staff councils. Also added is the College's Director of Marketing and Public Affairs. The participation of these key individuals provides the Cabinet with new perspectives, helps the Cabinet become even more transparent in its discussions, and aids in cooperation and internal and external communication.

Compensation Study

In October, the Board of Trustees awarded a contract to F&H Solutions Group to begin a professional compensation study. The study is scheduled for completion in 2018, with implementation to follow immediately. Implementing a new salary structure will help the College compete for and retain outstanding talent.

Community Engagement

Since arriving in February 2017, the President has been proactive in building relationships and partnerships with area leaders in all sectors.

The President initiated, attended, or presented at 80 off-campus events since his arrival in February 2017. Here is a partial list:

- Texas City-LaMarque Rotary
- Dr. Vicki Mims, Dickinson ISD Superintendent
- Dr. Cynthia Lusignolo, Texas City ISD Superintendent
- Dr. Leigh Wall, Sante Fe ISD Superintendent
- Sante Fe Mayor Jeff Tambrella
- La Marque Mayor Bobby Hocking
- Chief Burby, Texas City Police
- Julie Masters, Dickinson Mayor
- Dr. Bix Rathburn
- Dickinson Rotary
- Carl Joiner, Kemah Mayor
- ISD Administrators Breakfast
- Scott Liningston, Director, League City Economic Development
- Pat Hallisey, League City Mayor
- Steve Patterson, League City Chamber President

The President is now a member of these community and professional organization boards and committees:

- League City Chamber Board of Directors
- Texas City-La Marque Chamber Board of Directors
- Bay Area Houston Economic Partnership

Professional Development

The President has encouraged employees to attend and present at professional development conferences in their areas of expertise, and many are accepting the challenge.

The President will speak at the American Association of Community College's National Conference in Dallas next April.



GOAL 3: FACILITIES

Presidential Leadership

The President demonstrated his leadership style and abilities before, during and after the arrival of Hurricane Harvey. He conducted daily conference calls with the COM leadership team to discuss matters concerning facilities, repairs, academic scheduling, financial, employee needs, and other important issues. He encouraged open and honest feedback; he led varying opinions to a consensus. This “spirit of collaboration and cooperation” was positively received by College personnel on the phone call. Conversations were nonjudgmental in nature; decisions were made transparently. Consequently, the College avoided much confusion and delay in its recovery; made decisions that put the interests of students, employees and community foremost; and built a stronger sense of ownership and pride among employees.

A similar style pervades the President’s Cabinet, as well. The President conducts focused but open discussion about a variety of issues, values input from all participants, guides decisions to a consensus, and laces discussion with “lessons from experience.” Cabinet meetings include “teachable moments” where members can learn and grow from the insights of a successful and knowledgeable community college President.

Provide a safe, aesthetic environment conducive to learning, while addressing the workforce needs of local business and industry. Improve and expand existing facilities to enhance the learning environment. Develop next generation learning environments using the 2015 master facility plan as the foundation. The college will bring next generation learning to campus.

Measurable Outcomes:

- 3.1 By 2027 75% of the first two phases of the master facilities plan will be completed.
- 3.2 Secure passage of Bond Referendum by November 2018
- 3.3. Establish an exemplary teaching-learning environment that best serves our faculty and students as evidenced by completion rates, surveys, course evaluations, and other data.
- 3.4. Maintain a secure, accessible and welcoming environment as evidenced by student and staff satisfaction surveys
- 3.5 Establish a campus facility in North Galveston County to address needs of expanding population by 2025.

Alternative recommendation:

- 3.3. Establish a contemporary teaching-learning environment that best serves our faculty and students as evidenced by completion rates, surveys, course evaluations, and other data.

Progress:

Learning Center-League City East

With the Board’s approval, the College opened a second learning center in League City to accommodate a growing dual credit enrollment. The COM Learning Center-League City East opened during the fall in the Odyssey Center at 102 E. Walker St. with 6,000 sq.ft. of instructional space.

COM is mandated by the Texas Legislature to serve the higher education needs of residents in Friendswood, League City and Kemah—as well as its taxing district of Dickinson, Hitchcock, LaMarque, Texas City and Sante Fe.

Costs at the League City Center are covered by student tuition. Students outside the COM taxing district, but inside its service area, pay a higher tuition rate.

Maintenance Tax Bond

With the Board’s approval, the College sold \$16 million in



maintenance tax bonds to begin renovating a list of campus buildings, using the College's 2015 master plan as the "blueprint." The sale of the bonds is a first step toward improving the learning environment of College of the Mainland, which begins in earnest during the spring.

Comprehensive Marketing and Communications

The President is moving on a variety of important fronts to help elevate the reputation of the College and position it for success in a bond referendum which could come as early as November 2018.

Public Affairs

With the Board's approval, the President filled the position of Director of Marketing and Public Affairs, which had been vacant for four years. The President has begun proactively meeting with key media leaders across the region. Already he has met with the editorial leadership of the Galveston Daily News, and the interview was featured on the front page of the newspaper. Other such one-on-one meetings are expected soon with the Houston Chronicle, Houston Business Journal, and other major media publications.

The President will be featured in a column to appear in the 2018 AACC Conference Edition of Community College Week.

Communications

At the President's direction, the College now publishes a newsletter, *Torch*, three times annually. *Torch* carries important information about COM into 108,000 homes and apartments in its service area. This newsletter is helping provide positive information about the quality, mission, and achievements of COM, reminding both taxpayers and service area residents about the College's many benefits and opportunities. English and Spanish versions of *Torch* can be found online at www.com.edu/torch.

Advertising

With the Board's approval, the College recently secured the services of The Lee Group, a Houston-based advertising agency, to help elevate the College and help it compete effectively across the region and nation. The first advertising campaign is now underway—a \$23,000 social media campaign which is drawing traffic to the College website and generating new student applicants.

The College also launched new commercials in area cinema. These commercials reinforce the social media campaign during a "blockbuster" holiday movie season.

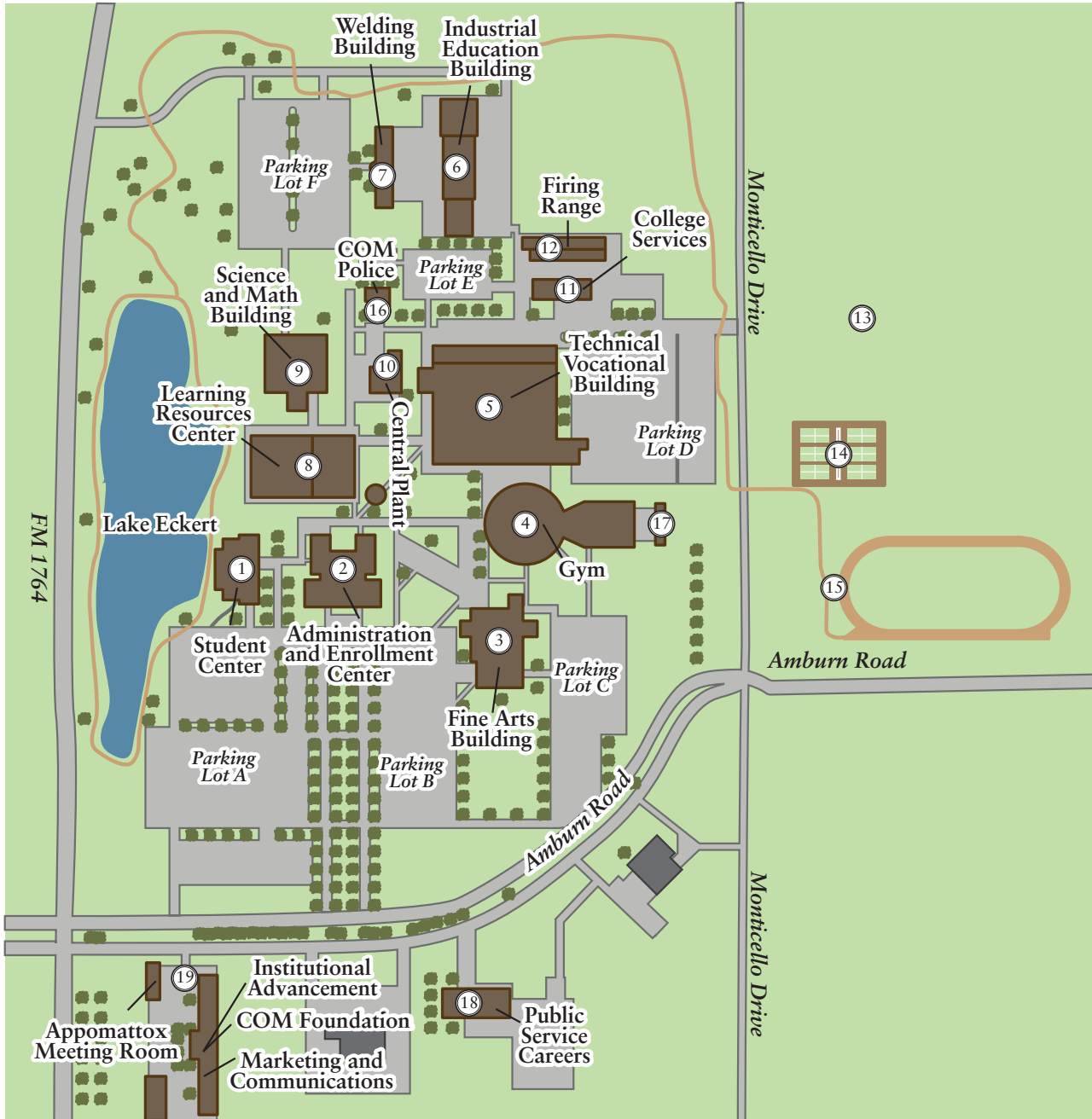
The College can expect a greatly enhanced advertising campaign between April and August. The media presence will remain strong through November 2018, should the College conduct a bond election at that time.

Publications

The College is building its brand among high school students and other audiences, as well. Plans are underway to mail several quality publications (a recruitment magazine, viewbook, etc.) into the homes of high school juniors and seniors this spring. Informative publications—such as a pocket folder, a senior citizen newsletter, and an e-newsletter to key decision makers—are also in the planning stages and will launch this spring. A customized workforce magazine, *Career Focus*, will mail into 30,000 homes in January.

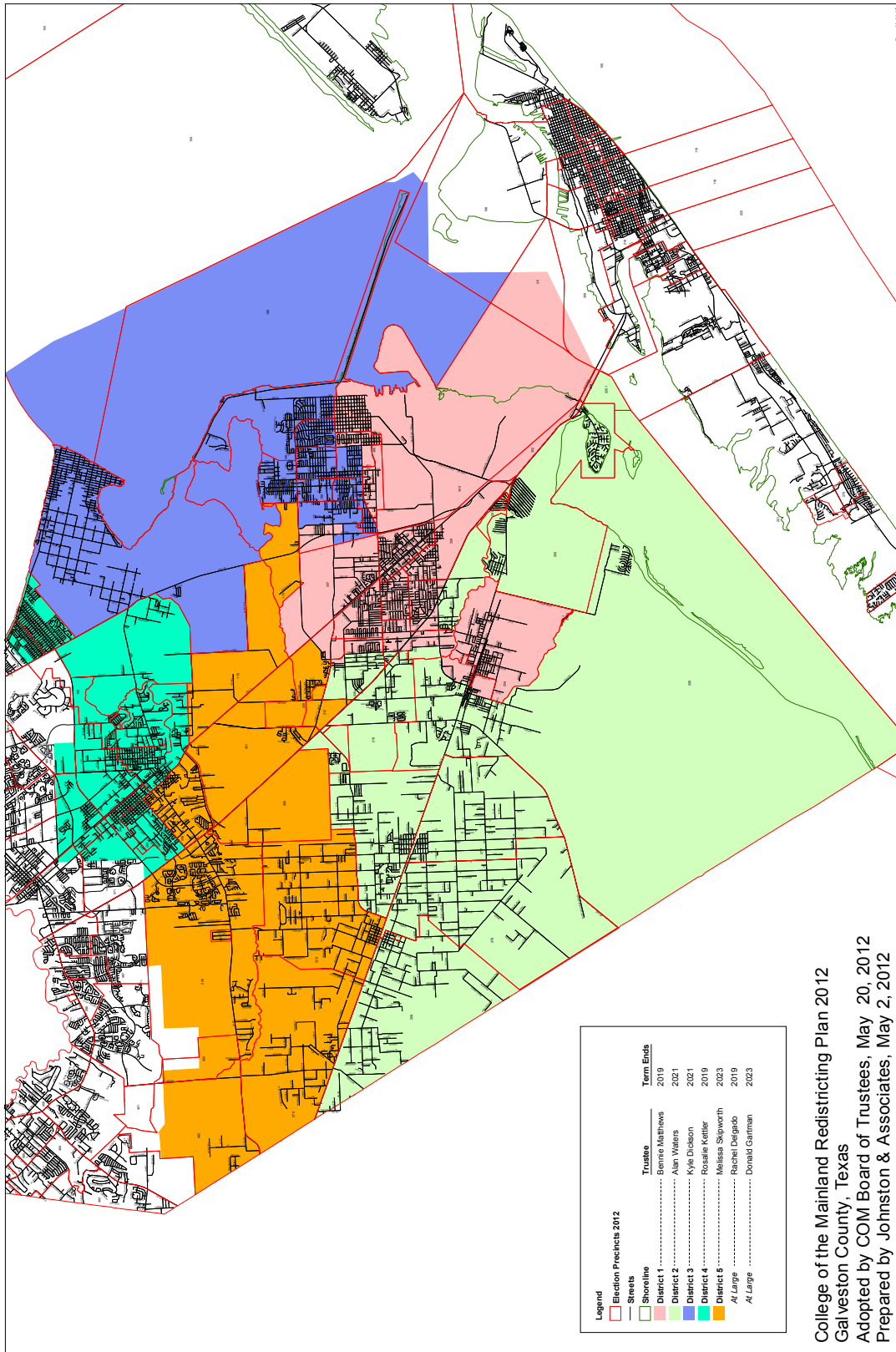


APPENDIX D: Campus Map





APPENDIX E: College of the Mainland Redistricting Plan 2012



College of the Mainland Redistricting Plan 2012
Galveston County, Texas
Adopted by COM Board of Trustees, May 20, 2012
Prepared by Johnston & Associates, May 2, 2012

