

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT

May 9, 2017

The Regular Meeting of the Board of Regents of the Del Mar College District convened in the Isensee Board Room, Del Mar College, Corpus Christi, Texas at 10:32 a.m. on Tuesday, May 9, 2017, with the following present:

From the Board:

Mr. Trey McCampbell, Dr. Nicholas Adame, Mr. Ed Bennett, Ms. Elva Estrada, Ms. Sandra Messbarger, Mr. Gabriel Rivas, Ms. Carol Scott and Mr. Guy Watts.

From the College:

Dr. Mark Escamilla, President; Dr. Beth Lewis, Provost and Vice President for Academic Affairs; Ms. Lenora Keas, Vice President of Workforce Development and Strategic Initiatives; Dr. Rito Silva, Vice President for Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Ms. Claudia Jackson, Executive Director of Strategic Communication and Government Relations; Ms. Tammy McDonald, Executive Director of Human Resources and Administration; Mr. August Alfonso, Chief Information Officer; Ms. Mary McQueen, Executive Director of Development; Dr. Catherine West, Interim Chief Financial Officer; Ms. Delia Perez, Board Liaison; and other staff and faculty.

CALL TO ORDER/QUORUM CALL/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE/MISSION STATEMENT

Mr. McCampbell called the meeting to order with a quorum present. He requested a moment of silence followed by the Pledge of Allegiance and Mission Statement.

REGULAR AGENDA

1. Discussion and possible action related to the use of the Workforce Development Project surplus funds and authorizing the administration to include such building additions and site enhancements to the Workforce Development building project...Mr. August Alfonso (*Goal 7. Resources: Ensure Strong Financial and Operational Capacity*)

Mr. Alfonso reported that on March 14, 2017, the Board authorized the administration to expend the \$1,398,000 surplus budget for the Workforce Development Center Project for academic learning space additions as well as building and site improvements.

After further consultation with the entire design team as well as Turner Ramirez, Dr. Beth Lewis and Ms. Lenora Keas, the following presentation represents the actual addition of learning spaces and building enhancements that will be incorporated in the project in addition to the original base and alternate bids that the Board previously approved. The additional cost will be \$1,283,500, which will leave \$114,500 as a construction contingency fund.

Phillip Ramirez and Kyle Miller of Turner Ramirez Architects described the proposed project of academic learning space additions and building and site improvements. See included: [Workforce Development Center Presentation](#).

Kyle Miller and Phillip Ramirez responded to questions from the Regents throughout the presentation. Dr. Escamilla and Ms. Keas also provided input.

Ms. Scott made a motion to approve the recommendation for the building additions and site enhancements to the Workforce Development Building Project. Mr. Rivas seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, amongst Regents present, 8-0, with Regents McCampbell, Adame, Bennett, Estrada, Messbarger, Rivas, Scott and Watts in favor.

2. Discussion and possible action related to the designation of General Contractor Services for the Emerging Technology Expansion Project in response to RFCSP # 2017-05 and authorizing the administration to proceed with awarding a contract...Mr. August Alfonso (*Goal 7. Resources: Ensure Strong Financial and Operational Capacity*)

Mr. Alfonso reported that on March 3, 2017, the College issued RFCSP # 2017-05 for General Contractor Services for the Emerging Technology Expansion Project. The Emerging Technology addition will be approximately 24,000 gross square feet and will be connected to the existing Emerging Technology building on the West Campus.

The following four firms submitted Statement of Qualifications and Competitive Sealed Proposals for consideration: Krueger Construction Company; Summit Building & Design; Journeyman Construction, and Weaver & Jacobs Contractors, Inc. Mr. Alfonso listed the Evaluation Committee members. The Committee evaluated respondent SOQs and interviewed the respondents on April 20, 2017 in the Isensee Board Room and sealed competitive price proposals were opened and read aloud to the public at 2:00 p.m. on April 20, 2017.

The Evaluation Committee's recommendation for general contractor services is Weaver & Jacobs Contractors, Inc. The authorized construction budget is divided into: Building/Sidewalks/Paving: \$8,600,000. The second part of the budget is the reroute of site utilities: \$1,000,000, for a total authorized budget of \$8.7M. Mr. Alfonso described alternate bids that administration would like included in the pricing proposal and described the two further recommendations: Board authorization to expend the \$478,500 surplus building budget back into the Emerging Technology Expansion Project for academic learning space additions and site improvements and the reallocation of \$147,000 from the existing Central Plant Loop budget to complete the funding needed for bid alternate #2 (reroute of site utilities).

Mr. Alfonso responded to questions from the Board.

Dr. Escamilla explained that this project is about expanding general academic space, very utilitarian type of space for all types of lecture and it is critical to the West Campus. It will give the College a footing for students to be able to take more of their core and basic offerings

in preparation for their fields of study at the signature programs. Moving folks out of the portable buildings is a part of this plan and has been a long time coming.

Mr. Rivas made a motion to approve this agenda item.
Ms. Estrada seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, among Regents present, 8-0, with Regents McCampbell, Adame, Bennett, Estrada, Messbarger, Rivas, Scott and Watts in favor.

3. Discussion related to the 2014 Bond Progress Report.....Mr. August Alfonso
(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Mr. McCampbell stated that this item is one that the Board Officers worked with the Executive Team to understand where they are on the 2014 Bond projects.

Dr. Escamilla said that was an important part of shared governance at a different level. When the Board comes together with the administration to discuss qualifying needs and presenting issues, it is a part of shared governance which happens throughout the College, including the Board and the administration. This presentation will bring them up to speed with the 2014 Bond.

Mr. Alfonso relayed that the purpose of this presentation was to update the Board and the community on the progress of the first five projects of the College's 2014 Bond. Dr. Escamilla and Mr. Alfonso responded to questions from the Regents throughout the presentation. See included: [Bond Presentation](#).

4. Discussion and possible action related to the request for re-allocation of 2014 Bond Funds and authorizing the administration to use such funds for the repair of two East Campus Central Plant Chillers.....Mr. August Alfonso
(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Mr. Alfonso reported that the 2014 Bond Program allocated \$3,000,000 for Central Plant improvements for East and West Campuses. The goal of the project is to replace one main chiller, one boiler, and three cooling towers for the East Campus and to replace one main chiller for the West Campus. The Central Plant Phase I project was completed on September 22, 2016. The Central Plant Phase II will be \$2,392,943, leaving an available balance of \$607,057. He recommends that up to \$150,000 of the available \$607,057 of 2014 Central Plant Bond Funds be appropriated to be used to repair the two remaining chillers at the East Campus Central Plant. One is completely out of order and the other is having major oil pressure issues.

Ms. Scott made a motion to approve this agenda item.
Ms. Messbarger seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried

unanimously, amongst Regents present, with Regents McCampbell, Adame, Bennett, Estrada, Messbarger, Rivas, Scott and Watts in favor.

The Chair announced that the Board was going into Closed Session as follows:

5. CLOSED SESSION pursuant to:

- A. **TEX. GOV'T. CODE § 551.074(a)(1)**: (Personnel Matters), regarding the employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; including 1.) Annual evaluation of College President and 2.) Annual Board Self-evaluation with possible discussion and action in open session.

The Board went into Closed Session during a working lunch at 11:48 a.m.

The Board reconvened in Open Session at 1:08 p.m.

RECOGNITIONS:

Students and Staff:

- Introduction of Viking Mascot.....Dr. Rito Silva and Ms. Claudia Jackson
(Goal 2. Student Access and Support Services: Maximize Affordable Access and Excellence in Student Services)

Ms. Jackson reported that in 2012 they began to look at bringing the College the modern version of the Del Mar College Viking. They have spent considerable time and research, working with current students, former students, alumni and future students to discuss having a spirit symbol and mascot. After Dr. Rito Silva joined the College, they were able to bring the mascot to the next level. They built the story of the Del Mar College Viking, his attributes, likes and dislikes.

Dr. Silva stated that it was an interesting journey and experience and they are really thrilled with the final product. The focus group helped them guide the Viking, and when they were almost done with the product they went back to another focus group comprised of alumni, faculty, students, and staff to ask if this was the vision they had. He thanked the committee who worked hard to make this happen, including Beverly Cage, Claudia Jackson and her staff, Melinda Eddelman and Jay Knioum. This Fall they will have a naming contest for the Viking Mascot. Dr. Silva introduced the Viking Mascot.

Dr. Escamilla thanked the committee and College for coming together and making this happen. The Viking Mascot will serve in both recruitment and outreach. It is about marketing, branding and reaching out to folks and really taking the Del Mar College name and brand to them, letting them know there is a place for them here at the College. Even though this is something fun, it is a serious marketing strategy.

Special Recognition:

- Dr. Nicholas Adame, Corpus Christi’s Bar Association’s 2017 Liberty Bell Award recipient
(Goal 3. Professional Initiatives: Provide Innovative, Relevant, and Meaningful Opportunities)

Mr. Rivera was honored to report this accolade which will be bestowed this afternoon. Every year the Corpus Christi Bar Association in conjunction with Law Day gives out several awards, most go to lawyers but one goes to a non-lawyer, the Liberty Bell Award. The Liberty Bell Award recognizes an outstanding non-lawyer who has made selfless contributions to our community and strengthened the effectiveness of the American system of justice by instilling a better understanding and appreciation of the law. The award recognizes community services and provides a better understanding of our democratic form of government, especially the Bill of Rights, encourages greater respect for the law and the courts, stimulates a deeper sense of individual responsibility so that citizens understand their duties and rights, and instills a better understanding and appreciation of the law. The significance of the award is that it is given to a non-lawyer, who nevertheless has taken on the same responsibility that they share as lawyers and judges and that is maintaining faith in the democratic government and rule of law, a true citizen. This year’s Liberty Bell Award honoree is Dr. Nick Adame.

Dr. Adame thanked Ms. Lenora Keas for her time spent with him discussing the Tejano Civil Rights Museum. The Tejano Civil Rights Museum is the first facility in the nation totally dedicated to a Tejano Civil Rights movement. He thanked individuals at Del Mar College, Texas A&M Kingsville, LULAC, and others in the community.

Faculty.....Dr. Beth Lewis

- Jennifer Jimenez, Instructor of Electronic Resources/Reference Librarian, selected for the highly competitive Texas Accelerated Library Leaders Institute, popularly known as TALL Texans Leadership Institute
(Goal 3. Professional Initiatives: Provide Innovative, Relevant, and Meaningful Opportunities)

Dr. Lewis introduced Jennifer Jimenez, Instructor of Electronic Resources/Reference Librarian; today’s honor is because the Texas Library Association, TLA, announced Jennifer for the highly competitive Texas Accelerated Library Leaders Institute, known as TALL Texans. The program has recognized the best of the rising Texas Library leaders for more than 20 years. The Institute provides advanced leadership in management education for mid-career librarians and library staff.

Ms. Jimenez stated that she is proud to be a member of the Texas Library Association, which has over 10,000 members. There were over 200 that apply to the TALL Texan Institute yearly and only 20 are accepted. She is excited to bring the leadership skills learned there back to the College.

- EMS Program - Paramedic awarded Accreditation by the Commission on Accreditation of Allied Health Education Programs (CoAEMSP)
(Goal 1. Student Learning Success: Ensure Exceptional Educational Opportunities for All Students)

Dr. Lewis asked the EMS staff to join her at the podium. The Emergency Medical Services Paramedic Program was awarded program accreditation by the Commission on Accreditation of Allied Health Education Programs. The initial accreditation began on March 17, 2017 and continues through March 31, 2022. The program submitted an extensive application and demonstrated compliance with the nationally established accreditation standards for the program. She reported that it is a huge deal because most EMS Programs are not accredited and for the College to have an accredited program is a big deal.

Ms. Melissa Stuive thanked the College for backing them and helping them out as they went through this process; it is a huge milestone for EMS and there will be big changes.

Mr. McCampbell said they are proud of the EMS Program, and now even more so with the accreditation.

STAFF REPORTS:

- Legislative Update.....Ms. Claudia Jackson
(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

Ms. Jackson provided the legislative tracking report via email to the Board prior to the Board Meeting via email. Since the last Board Meeting Dr. Escamilla has made several trips to the Capitol working on key priority issues, including community college funding proposals, HB 2994 which will secure the funding to reimburse the College for 16 and 17 year olds taking workforce certifications, and additional bills they are keeping up with that could impact the College.

Ms. Scott added that she has been participating via teleconference with CCATT weekly, and they have been a very active team. She applauded Dr. Escamilla and Claudia Jackson for being so actively engaged.

BOARD NOTIFICATION:

- “A” Policy Revision A.7.17, Del Mar College Developmental Education Plan
(Goal 1. Student Learning Success: Ensure Exceptional Educational Opportunities for All Students)

Mr. McCampbell reported that this item is a board notification for a policy revision for Policy A.7.17.

Dr. Lewis indicated that the only reason this policy is being changed is because SAT changed their scores.

COLLEGE PRESIDENT’S REPORT.....Dr. Mark Escamilla

- March 30, 2017, Bernie’s Crawfish Boil
(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

Dr. Escamilla reported that on March 30th the College held their annual Bernie’s Crawfish Boil. He thanked the Development staff and all the volunteers, Bernard Paulson, Board of Trustees, and friends out in the community that came together for this fundraiser/party that netted \$100,000.

- April 13, 2017, TACC Executive Committee Meeting
(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

On April 13th Dr. Escamilla attended the Texas Association of Community College’s Executive Committee; he remains on the Executive Committee and during the Legislative Session, he is glad to be there. Hearing all the things going on and being a part of the leadership development group for the president’s association is an honor.

- April 18, 2017, Student Panel Discussion, Campus Carry
(Goal 2. Student Access and Support Services: Maximize Affordable Access and Excellence in Student Services)

The College held a Student Panel Discussion on Campus Carry. It was initiated by one of the College’s students, Natalie Murphy, Foghorn Editor. Dr. Escamilla along with General Counsel Rivera, Lauren White, Capt. Billy Breedlove with CCPD, Dr. Beth Lewis, and Dr. Tracie Rodriguez, principal of Collegiate High School, served on this panel at Wolfe Recital Hall. It was live and active on social media and they answered many important questions.

- April 21-24, 2017, AACC Annual Convention, New Orleans
(Goal 6. Partnerships: Expand Opportunities for Mutually-Beneficial Alliances)

Dr. Escamilla and a few members from the Executive Committee attended the American Association of Community Colleges Annual Convention in New Orleans. That is primarily for administrators and CEO’s and he is so grateful for the team members that attended because much exposure of the College and for the College was gained as a result.

- April 26-27, 2017, Meetings with TACC Executive Committee & Legislators
(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

On April 26th and 27th there were also meetings with the Texas Association of Community Colleges Executive Committee and Legislative Committee. They continue to meet on a regular basis while the legislature is in session; it has taken a good amount of time but is so well worth it.

- May 2, 2017, Ribbon Cutting for Alice Off-Campus Center for GED/ESOL TWC Grant
(Goal 2. Student Access and Support Services: Maximize Affordable Access and Excellence in Student Services)

Dr. Escamilla stated that the GED Program has a different service area through the Texas Workforce Commission and it serves a 12 county service area. Del Mar College serves four and a half counties but the GED Grant overlaps into other areas, other community college service areas for credit and community college instruction. The GED Program continues to be a critical piece of their instructional arm here at the College and they have established themselves in a vacated Armory. Dr. Escamilla introduced Ms. Lenora Keas and Dr. Leonard Rivera to provide further details of the Alice Off-Campus Center for GED/ESOL and the TWC Grant.

PENDING BUSINESS:

Status Report on Requested Information

(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

CONSENT AGENDA

Notice to the Public

The following items are of a routine or administrative nature. The Board of Regents has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Board member or a citizen, in which event the item(s) will immediately be withdrawn for individual consideration in their normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

CONSENT MOTIONS:

(At this point the Board will vote on all motions not removed for individual consideration.)

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

6. Approval of Minutes:
Regular Board Meeting, April 11, 2017
(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)
7. Acceptance of Investments for April 2017
(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)
8. Acceptance of Financial Statement for March 2017
(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Ms. Estrada made a motion to approve the consent agenda items. Ms. Messbarger seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, amongst Regents present, 8-0, with Regents McCampbell, Adame, Bennett, Estrada, Messbarger, Rivas, Scott, and Watts in favor.

REGULAR AGENDA

9. Discussion and adoption of new policy B10.1 Carrying Handguns on Campus by License Holder.....Dr. Mark Escamilla
(Goal 2. Student Access and Support Services: Maximize Affordable Access and Excellence in Student Services)

Dr. Escamilla invited the team to the podium. He reminded the Regents that in the 84th Legislative Session, Senate Bill 4 was passed that allowed carrying handguns on campus by license holder for community colleges. In the Fall of 2016 universities deployed their policies to provide for this. In October 2015 the College held a College-wide meeting, and there has been a sequence of events as they have been preparing for the implementation of a policy undergirded by this law. It is law and his responsibility as President to make sure a policy is in place, advertised, and well communicated to the College for all that step foot on any of the College's locations. It's an extremely serious set of circumstances, and a health and safety issue. He thanked the Campus Carry Policy Development Committee, Chairs, Dr. Lewis, Tammy McDonald, and General Counsel Augustin Rivera for leading the charge in conjunction with his office to formulate the policy that they are presenting today for the Board's consideration. He added that their policy has to evolve by the very nature of construction and evolution of their campus, they will try to understand and anticipate how the evolution of this policy will take place as the buildings are leveled, renovated, and newly constructed over the next several years and how that policy melds with that change in the College's physical facilities. This policy has been vetted throughout the College with all facets of employees and students; all groups who step foot on this campus have been represented. This is a kick-off point and there will be more information as they move ahead.

Dr. Lewis, Ms. McDonald and Augustin Rivera, Jr. presented the following to the Board. See included: [Board Policy B10.1 Presentation](#).

They answered the Board's questions during their presentation and there was much interaction and discussion relating to the proposed policy.

Mr. McCampbell asked about the communication and PR effort if the policy is approved.

Dr. Escamilla said there are two reasons why this was brought to the Board today and did not wait for the legislative session to conclude, one being that this is the last Board Meeting of the semester and many of the faculty are still on campus, and the second reason is that they will

use the upcoming months to produce as much signage as possible, and market and message this important law and policy/procedures.

Mr. McCampbell reminded the Regents that as a Board they need to vote a policy in whether it is something they like or not.

Ms. Scott stated that as Regents they have taken an oath to uphold the laws of the State of Texas and this is a law of the State of Texas and doesn't believe they have a choice but to adopt a policy that is as strict as they can make it and still comply with the law of the State of Texas which they have taken an oath of office to uphold even though she does not believe guns belong on a college campus. She asked if the College could track the cost of this unfunded mandate from the State of Texas.

Ms. Scott made a motion to adopt the policy.

Mr. Rivas seconded the motion but stated that the Board is on record opposing this law; the Board passed a resolution opposing it but it didn't work and now they have to abide by the law. Mr. Watts stated that he agrees with Ms. Scott. There was no further discussion from the Board.

Craig Brashears, Faculty Council Chair and member of the Campus Carry Committee, made a public comment, stating that they worked very hard on this, he echoed what was stated about the input from the various groups on campus and it was vetted and is very difficult to put aside personal opinion, they have a choice and do not have to pass a policy on it, the law does not require that, but by not passing a policy as discovered in their committee meetings, there are some community colleges who decided not to pass a policy and by default that means that every place on the campus would be open for concealed carry. By approving this policy that has been very well vetted, it is in the best interest of the College, their students, faculty and staff. He feels that what they put together is probably the safest option.

Mr. Rivera added that he wanted to echo what everyone said, he was privileged to work with a great group of folks from all around the campus including the students, he agrees 100% with what Dr. Lewis and Ms. McDonald have said, this was shared governance at its best, it was an emotional issue going into it, and it will continue to be an emotional issue but he is proud to be associated with it. It was a great team of people who took their job seriously and are following the law.

There were no additional public comments. A roll-call vote was taken and the motion carried 7-0-1, with Regents McCampbell, Adame, Bennett, Estrada, Messbarger, Rivas, and Scott in favor; Regent Watts abstained.

Mr. McCampbell, Board Chair, rearranged the meeting, taking up Regular Agenda Item 11 next.

11. Discussion and possible action related to the approval of the Tuition and Fee Schedules for Continuing Education and Workforce Programs.....Ms. Lenora Keas

(Goal 7. Resources: Ensure Strong Financial and Operational Capacity)

Ms. Keas stated that her memo to the Board referred to the policy that the Board approved which into effect on February 14, 2017, which states that the Texas Higher Education Coordinating Board requires the governing board to set and approve the fee and tuition schedule for continuing education courses. The Board packet contains the proposed fees and tuition per course and for continuing education. If approved, these fees would go into effect in Fall 2017. The College provides these courses at a fair market value. Today's item is for the Board's review and approval of the schedule.

Dr. Escamilla and Ms. Keas responded to questions from the Regents.

Mr. Watts made a motion to approve the agenda item. Ms. Messbarger seconded the motion. There was no further discussion from the Board. There were no public comments. A voice vote was taken and the motion carried unanimously, amongst Regents present, 8-0, with Regents McCampbell, Adame, Bennett, Estrada, Messbarger, Rivas, Scott, and Watts in favor.

10. Discussion regarding Civitas update.....Dr. Rito Silva
(Goal 4. Technology: Utilize Technology to Enhance Academic and Institutional Services and Processes)

Dr. Silva provided an update and overview on the Civitas projects they are currently working on. He described several of the Civitas applications: Inspire, which tracks student performance and allows for early intervention; College Scheduler: assists the students in building a schedule; Degree Map: degree planning similar to dashboard, informing the students how far along they are in their degree plan and also provides information if they change their major; Illume: the program that Del Mar is currently using, it is an analytic predictive program, built on data that the College's students have done in the past. Dr. Silva provided a demonstration using Illume. Two programs they are currently utilizing from the Civitas data are the Nudge Campaign, emails encouraging registration, and Graduation Outreach; they contact students with 75% completion. Dr. Silva also described the College's future plans for Civitas.

Dr. Silva responded to questions from the Regents throughout his presentation.

Mr. Watts left the meeting prior to Regular Agenda Item 12.

12. Discussion and possible action on report of investigation into whether Regent Guy Watts violated any duties under specific statute or law, Board Bylaw or Board policy, including censure under Section 1.J, Board Bylaws and B2.1.4, College Policy and other appropriate action.....Mr. Trey McCampbell
(Goal 5. Advocacy: Advance the College Mission Through Effective Governance and Positioning)

Mr. Augustin Rivera handed out the Report of Investigation to each Regent and gave them a brief opportunity to review the report. Mr. Rivera stated that even though the report is lengthy, the Board has dealt with many of these issues before and it is not a matter that the Board takes lightly; it is the third time they have been compelled to initiate an investigation into conduct and activity by Mr. Watts.

Mr. Rivera reviewed the details and conclusions of the attached Report of Investigation with the Board. See included: [Report of Investigation](#).

Mr. McCampbell read their Oath of Office “I will faithfully execute the duties of the office of Regent of the Del Mar College District of the State of Texas and will to the best of my ability preserve, protect, and defend the Constitution and the laws of the United States and of the State.” On the first page of the Report of Investigation the first paragraph reads “The purpose of the investigation was to determine whether Regent Watts’ actions violated provisions of the Board’s Bylaws, Code of Ethics, College policies or other relevant law”, Mr. McCampbell stated that he also violated his oath. He took a sworn oath of office at the beginning of his term that he would uphold the laws. Mr. McCampbell reminded the viewing audience that they have a responsibility under their accreditation agency, as a governing body, to self-regulate and hold themselves accountable under their bylaws, code of ethics, etc. When further instances come up, they have that responsibility to continue to regulate themselves; that is why this is an agenda item again.

Mr. Rivera added that one thing in common has come up in every one of these investigations, the Board gets calls from the community and questions from the public. It is not something that is happening in isolation, there is confusion, and that is the reason they agree to abide by these rules and communicate collectively as a Board so as to not create confusion. If they create confusion, then people make assumptions, and the Board and College lose credibility. For the sake of the public and community, to keep the record straight, that is another compelling reason why they need to continue to enforce their rules.

Mr. Rivera responded to questions from the Regents relating to the investigation. The Regents also provided input relating to this agenda item.

Mr. Rivera explained the Board’s options: take no action, vote to repudiate his actions, or vote to censure Mr. Watts again for his conduct. He reminded the Board what they have done in the prior cases.

Dr. Escamilla stated that looking at the amount of time and resources spent on this negativity impacts other College business and presentation time. They do their best to give information to the public within reason, including the Regents and staff, but the burden on the resources and time that it takes away from this College is very burdensome.

Dr. Adame moved that the Board accept the investigation report and direct Counsel to prepare an order of censure.

Ms. Messbarger seconded the motion. There was no

further discussion from the Board. There were no public comments. A roll-call vote was taken and the motion carried, 6-0-1, with Regents McCampbell, Adame, Estrada, Messbarger, Rivas, Scott, in favor; Mr. Bennett abstained.

GENERAL PUBLIC COMMENTS (Non-Agenda Items) – 3-minute time limit

There were no general public comments.

The Chair announced that the Board was going into Closed Session as follows:

5. CLOSED SESSION pursuant to: **(Continued)**

- A. **TEX. GOV'T. CODE § 551.074(a)(1)**: (Personnel Matters), regarding the employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; including 3.) Review of Regent's Duties, Responsibilities and Statement of Ethics (Regent Watts), with possible discussion and action in open session.
- B. **TEX. GOV'T. CODE § 551.071**: (Consultation with legal counsel), regarding pending or contemplated litigation, or a settlement offer, with possible discussion and action in open session; and, the seeking of legal advice from counsel on pending legal or contemplated matters or claims, with possible discussion and action in open session;

The Board went into Closed Session at 4:01 p.m.

The Board reconvened in Open Session at 4:25 p.m.

Mr. Rivas made a motion to authorize the Board Chair or his designee and General Counsel to initiate another investigation into Bylaw 1.J into new recent activity and communication by Regent Guy Watts. Ms. Estrada seconded the motion. There was no further discussion from the Board. There were no public comments. A roll-call vote was taken and the motion carried unanimously, amongst Regents present, 7-0, with Regents McCampbell, Adame, Bennett, Estrada, Messbarger, Rivas, and Scott.

CALENDAR: Discussion and possible action related to calendaring dates.

ADJOURNMENT: The meeting was adjourned at 4:28 p.m.

MINUTES REVIEWED BY GC: /s/AR