

*Board of Trustees
Meeting*

December 14, 2021

**NOTICE OF MEETING
BOARD OF TRUSTEES
SAN JACINTO COMMUNITY COLLEGE DISTRICT**

The Board of Trustees of the San Jacinto Community College District will meet for a Board workshop at 4:45 p.m., Tuesday, December 14, 2021, in Room 201 of the Thomas S. Sewell District Administration Building, 4624 Fairmont Parkway, Pasadena, Texas.

The live-stream of this meeting can be accessed as follows:

www.sanjac.edu/board-meeting-videos

The open portions of this meeting will be recorded and made available to the public on the College's website.

**BOARD WORKSHOP
AGENDA**

- I. Call the Meeting to Order**
- II. Roll Call of Board Members**
- III. Adjournment to closed or executive session pursuant to Texas Government Code Section 551.071, 551.074, and 551.072 of the Texas Open Meetings Act, for the following purposes:**
 - a. Legal Matters - For the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law.
 - b. Personnel Matters - For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee.
 - c. Real Estate Matters - For the purpose of discussing the purchase, exchange, lease or value of real property.
- IV. Reconvene in Open Meeting**
- V. Review Plan for Upcoming Issuance of General Obligation Bonds, Refinancing, and Defeasance**
- VI. Review of 2020-2021 Annual Comprehensive Financial Report**
- VII. Update on Enrollment and COVID**
- VIII. Update on State and Federal Legislative Sessions**
- IX. Review of Calendar**
- X. General Discussion of Meeting Items**
- XI. Adjournment**

Additional Closed Session Authority

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Board should be held or is required in relation to any items included in this Notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this Notice or as soon after the commencement of the meeting covered by the Notice as the Board may conveniently meet in such closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Sections 551.071, inclusive, of the Open Meetings Act, including, but not limited to:

Section 551.071 – For the purpose of a private consultation with the Board’s attorney on any or all subjects or matters authorized by law.

Section 551.072 – For the purpose of discussing the purchase, exchange, lease or value of real property.

Section 551.073 – For the purpose of considering a negotiated contract for a prospective gift or donation.

Section 551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee.

Section 551.076 – To consider the deployment, or specific occasions for implementation, of security personnel or devices.

Section 551.084 – For the purpose of excluding a witness or witnesses from a hearing during examination of another witness.

Section 551.087– To discuss or deliberate regarding commercial or financial information that the Board has received from a business prospect that the Board seeks or may seek to have locate, stay, or expand in or near the territory of the College and with which the Board is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to such business prospect.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

- A. The open meeting covered by this Notice upon the reconvening of the public meeting, or
- B. At a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

Certification as to Posting or Giving of Notice

On this day, December 10, 2021, this notice was posted to the College’s website, on a bulletin board located at a place convenient to the public at the administrative building of the San Jacinto Community College District, 4624 Fairmont Parkway, Pasadena, Texas, and is readily accessible to the public upon request.

Brenda Hellyer, Ed.D.

**NOTICE OF MEETING
BOARD OF TRUSTEES
SAN JACINTO COMMUNITY COLLEGE DISTRICT**

The Board of Trustees of the San Jacinto Community College District will meet for a regularly scheduled Board Meeting at 7:00 p.m. on Tuesday, December 14, 2021, in Room 104 of the Thomas S. Sewell District Administration Building, 4624 Fairmont Parkway, Pasadena, Texas.

The live-stream of this meeting can be accessed as follows:

www.sanjac.edu/board-meeting-videos

An electronic copy of the agenda packet is available on the College's website as follows:

www.sanjac.edu/board-meeting-agendas

Members of the public who desire to address the Board must comply with the following registration procedures:

A link to a public comments form is available at: www.sanjac.edu/request-speak-to-board

The form must be completed prior to 11:00 a.m. on December 14, 2021. After completion of the form, the requestor will be contacted with further instructions. Registered participants will be allotted five minutes to address the Board of Trustees during the "Public Comment" portion of the meeting. Discussion shall be addressed to the Board Chair and the entire membership of the Board. Discussion shall be limited solely to the matter indicated on the request form. Members of the Board of Trustees and/or administration may not comment or deliberate during a public comment period at the meeting except to state that the Chancellor or designee may follow-up, when appropriate.

The open portions of this meeting will be recorded and made available to the public on the College's website.

Any questions regarding this meeting notice can be directed to Mandi Reiland, Manager of Executive Operations for the Chancellor and Board of Trustees at mandi.reiland@sjcd.edu.

**BOARD MEETING
AGENDA**

- I. Call the Meeting to Order**
- II. Roll Call of Board Members**
- III. Invocation and Pledge to the Flags**
- IV. Special Announcements, Recognitions, Introductions, and Presentations**

Recognition of Dr. Jose Nunez for Being Awarded for Instructional Excellence at a Two-Year College by the American Society of Chemistry - Greater Houston Section Aaron Knight

Recognition of San Jacinto College's Contributions in STEM Outreach, American Chemical Society ChemLuminary Award Aaron Knight

Recognition of the Fiscal Affairs Department for Receiving the Certificate of Achievement for Excellence in Financial Reporting Teri Zamora

Recognition of the Purchasing Department for Receiving the
2021 Achievement of Excellence in Procurement Award

Teri Zamora

V. Student Success Presentations

Transfer Student Outcomes with an Equity Focus

Laurel Williamson

VI. Communications to the Board of Trustees

VII. Public Comment

VIII. Informative Reports to the Board

A. San Jacinto College Financial Statements

a. San Jacinto College Financial Statements October 2021

b. San Jacinto College Monthly Investment Report October 2021

B. San Jacinto College Foundation Financial Statements

a. October 2021

b. Financial Audit Years Ended June 30, 2021 and 2020

C. Capital Improvement Program

a. October 2021

ACTION ITEMS

IX. Consideration of Approval of Amendment to the 2021-2022 Budget for Restricted Revenue and Expenses Relating to Federal and State Grants

X. Consideration of a Resolution for Casting a Ballot for the Election of a Person to the Board of Directors of the Harris County Appraisal District

XI. Consideration of Acceptance of the 2020-2021 Annual Comprehensive Financial Report

XII. Consideration of Approval of Naming Buildings at the South Campus

XIII. Consideration of Approval to Adopt an Order Authorizing the Issuance of San Jacinto Community College District Limited Tax General Obligation Building and/or Refunding Bonds; Setting Certain Parameters for the Bonds; Authorizing the Vice Chancellor of Fiscal Affairs to Approve the Amount, the Interest Rate, Price, Including the Terms Thereof and Certain Other Procedures and Provisions Related Thereto

XIV. Consideration and Approval of Resolution Authorizing the Defeasance of Bonds

XV. Consideration of Approval and Rescission of Various Benefits Policies – First Reading (Informational Item)

XVI. Consideration of Approval of Policy #, Fixed Assets – First Reading (Informational Item)

XVII. Authorization to Negotiate and Execute a Settlement Cause No. 2021-29273; In the District Court of Harris County, 295th Judicial District

PURCHASING REQUESTS

XVIII. Consideration of Purchasing Requests

CONSENT AGENDA

XIX. Consent Agenda

(Any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of the Board, otherwise all items will be voted on with one (1) motion.)

- A. Approval of the Minutes for the November 1, 2021, Workshop and Regular Board Meeting**
- B. Approval of the Budget Transfers**
- C. Approval of Personnel Recommendations, 2021-2022 Part-Time Hourly Rate Schedule, Extra Service Agreements (ESA)**
- D. Approval of the Affiliation Agreements**
- E. Approval of the Next Regularly Scheduled Meeting**

XX. Items for Discussion/Possible Action

(Items removed from the Consent Agenda or items discussed in closed session, will be considered at this time)

XXI. Adjournment

Closed Session Authority

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Brenda Hellyer, Ed.D.

San Jacinto College Financial Statements
October 2021

San Jacinto Community College District
Statement of Net Position - PRELIMINARY
October 31,

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Current assets:		
Cash and cash equivalents	\$ 78,075,423	\$ 73,619,551
Accounts receivable - taxes	5,037,790	4,476,059
Accounts receivable	20,896,613	15,892,242
Deferred charges	1,908,546	1,687,081
Inventories	550,602	366,250
Total current assets	<u>106,468,974</u>	<u>96,041,183</u>
Noncurrent assets:		
Restricted cash and cash equivalents	86,994,699	91,021,252
Capital assets, net	710,825,387	642,611,220
Total noncurrent assets	<u>797,820,087</u>	<u>733,632,472</u>
Total assets	<u>904,289,061</u>	<u>829,673,655</u>
Deferred outflows of resources:		
Deferred outflow related to pensions	16,771,450	20,383,403
Deferred outflow related to OPEB	22,616,854	17,632,637
Deferred outflow related to defeased debt	6,370,547	7,476,310
Total deferred outflows of resources	<u>45,758,851</u>	<u>45,492,350</u>
<u>Liabilities</u>		
Current liabilities:		
Accounts payable	15,283,069	14,037,936
Accrued liabilities	6,119,857	5,319,123
Accrued compensable absences and deferred compensation	2,399,843	2,741,917
Deferred revenues	889,311	600,824
Total current liabilities	<u>24,692,080</u>	<u>22,699,800</u>
Noncurrent liabilities:		
Net pension liability	46,145,705	45,813,261
Net OPEB liability	103,762,700	107,182,217
Bonds and notes payable	647,362,963	576,011,810
Total noncurrent liabilities	<u>797,271,368</u>	<u>729,007,288</u>
Total liabilities	<u>821,963,448</u>	<u>751,707,088</u>
Deferred inflows of resources:		
Deferred inflows related to pensions	7,609,539	9,070,812
Deferred inflows related to OPEB	29,602,310	26,740,139
Total deferred inflows of resources	<u>37,211,849</u>	<u>35,810,951</u>
<u>Net assets</u>		
Beginning of year - audited	84,506,750	80,169,233
Current year addition	6,365,865	7,478,733
Total net position	<u>\$ 90,872,615</u>	<u>\$ 87,647,966</u>

The year-end financial statements for August 31, 2021 are not final. They are pending closing adjustments and final audit review which should be complete in mid-December and may impact beginning balances for fiscal year 2021-2022.

San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

11 Unrestricted Funds

	Adjusted Budget	Actual (17%)	% Actual to Adjusted Budget	10/31/20	% of 8/31/21 Actual
REVENUES:					
State Appropriations	\$ 41,307,654	\$ 9,913,839	24.00	\$ 10,101,667	24.00
Local Taxes - Maintenance & Operations	73,800,000	76,082	0.10	183,878	0.25
Credit Tuition	62,500,000	34,812,779	55.70	34,018,381	56.62
Credit Exemptions & Waivers	(9,160,000)	(3,766,505)	41.12	(4,064,247)	47.29
Continuing Education					
CPET	480,000	17,362	3.62	42,949	16.38
Maritime Transportation	1,300,000	300,424	23.11	282,047	24.12
Continuing Professional Development (CPD)	5,925,000	1,189,113	20.07	984,372	19.27
Continuing Education Exemptions & Waivers	(154,100)	(21,365)	13.86	-	0.00
Bad Debt	(1,400,000)	(116,667)	8.33	(316,667)	47.23
Sales & Services	1,625,000	493,056	30.34	347,161	19.63
HEERF Lost Revenue	8,250,000	-	-	-	-
Investment Income	250,000	8,552	3.42	31,553	29.61
Total	<u>184,723,554</u>	<u>42,906,670</u>	<u>23.23</u>	<u>41,611,094</u>	<u>23.32</u>
EXPENDITURES:					
Instruction	73,990,878	13,423,661	18.14	12,065,482	17.91
Public Service	23,771	-	0.00	900,926	13.91
Academic Support	17,339,148	3,085,070	17.79	2,969,173	22.89
Student Services	17,302,132	2,131,213	12.32	2,084,903	13.92
Institutional Support	48,345,283	7,257,839	15.01	6,944,782	17.03
Physical Plant	23,988,417	2,535,080	10.57	2,283,102	13.16
Winter Storm	-	-	-	-	-
Total	<u>180,989,629</u>	<u>28,432,863</u>	<u>15.71</u>	<u>27,248,368</u>	<u>16.56</u>
TRANSFERS AMONG FUNDS:					
Transfers In	-	-	-	-	-
Transfers Out	3,733,925	26,284	0.70	(4,899)	(0.14)
Net Increase (Decrease) in Net Position	<u>\$ -</u>	<u>\$ 14,447,523</u>		<u>\$ 14,367,625</u>	

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San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

Federal Restricted Funds

	<u>Adjusted Budget</u>	<u>Actual (17%)</u>	<u>% Actual to Adjusted Budget</u>	<u>10/31/20</u>	<u>% of 8/31/21 Actual</u>
REVENUES:					
Grants	110,297,521	\$ 33,718,834	30.57	\$ 14,197,322	23.72
Total	<u>110,297,521</u>	<u>33,718,834</u>	<u>30.57</u>	<u>14,197,322</u>	<u>23.72</u>
EXPENDITURES:					
Instruction	700,902	30,473	4.35	41,867	9.42
Public Service	269,151	35,730	13.28	65,787	28.74
Academic Support	8,181,603	384,505	4.70	393,794	8.40
Student Services	4,303,832	104,443	2.43	48,660	8.63
Institutional Support	37,055,669	695,455	1.88	115,805	3.53
Scholarships and Fellowships	58,821,028	32,468,228	55.20	13,531,409	26.70
Physcial Plant	965,337	-	-	-	-
Total	<u>110,297,522</u>	<u>33,718,834</u>	<u>30.57</u>	<u>14,197,322</u>	<u>23.71</u>
TRANSFERS AMONG FUNDS:					
Transfers In	-	-	-	-	-
Transfers Out	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Increase (Decrease) in Net Position	<u>\$ -</u>	<u>\$ -</u>		<u>\$ -</u>	

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San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

State Restricted Funds

	Adjusted Budget	Actual (17%)	% Actual to Adjusted Budget	10/31/20	% of 8/31/21 Actual
REVENUES:					
State Paid Benefits	\$ 11,862,735	\$ 1,962,228	16.54	\$ 1,979,765	16.73
Grants	3,197,943	1,093,740	34.20	965,336	40.68
Total	<u>15,060,678</u>	<u>3,055,968</u>	<u>20.29</u>	<u>2,945,101</u>	<u>20.73</u>
EXPENDITURES:					
Instruction	6,563,602	1,160,167	17.68	1,185,179	19.39
Public Service	2,111	3,180	150.63	52,446	14.66
Academic Support	1,532,867	192,132	12.53	189,685	13.64
Student Services	1,469,394	269,632	18.35	280,390	15.58
Institutional Support	3,071,383	365,416	11.90	306,032	12.24
Physical Plant	-	-	-	-	-
Scholarships and Fellowships	2,421,321	1,065,440	44.00	931,369	45.95
Total	<u>15,060,678</u>	<u>3,055,968</u>	<u>20.29</u>	<u>2,945,101</u>	<u>20.76</u>
TRANSFERS AMONG FUNDS:					
Transfers In	-	-	-	-	-
Transfers Out	-	-	-	-	-
Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Increase (Decrease) in Net Position	<u>\$ -</u>	<u>\$ -</u>		<u>\$ -</u>	

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San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

Local Restricted Funds

	<u>Adjusted Budget</u>	<u>Actual (17%)</u>	<u>% Actual to Adjusted Budget</u>	<u>10/31/20</u>	<u>% of 8/31/21 Actual</u>
REVENUES:					
Local Grants	\$ 7,924,461	\$ 1,453,665	18.34	\$ 411,020	12.42
Total	<u>7,924,461</u>	<u>1,453,665</u>	<u>18.34</u>	<u>411,020</u>	<u>12.42</u>
EXPENDITURES:					
Instruction	91,383	-	-	-	-
Public Service	205,089	26,329	12.84	27	0.02
Academic Support	492,312	128,755	26.15	47,232	12.54
Student Services	63,009	9,238	14.66	4,567	36.60
Institutional Support	30,397	6,296	20.71	-	-
Scholarships and Fellowships	7,258,772	1,306,288	18.00	348,115	13.07
Physical Plant	<u>250,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total	<u>8,390,961</u>	<u>1,476,905</u>	<u>17.60</u>	<u>399,941</u>	<u>12.32</u>
TRANSFERS AMONG FUNDS:					
Transfers In	(466,500)	(26,284)	5.63	4,899	(3.20)
Transfers Out	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Increase (Decrease) in Net Position	<u>\$ -</u>	<u>\$ 3,045</u>		<u>\$ 6,180</u>	

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San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

27 Texas Public Education Grant

	Adjusted Budget	Actual (17%)	% Actual to Adjusted Budget	10/31/20	% of 8/31/21 Actual
REVENUES:					
Tuition - Credit & Non Credit	\$ 2,900,000	\$ 1,662,182	57.32	\$ 1,599,894	55.45
Total	<u>2,900,000</u>	<u>1,662,182</u>	<u>57.32</u>	<u>1,599,894</u>	<u>55.45</u>
EXPENDITURES:					
Scholarships and Fellowships	<u>2,900,000</u>	<u>1,466,899</u>	<u>50.58</u>	<u>1,318,457</u>	<u>41.79</u>
Total	<u>2,900,000</u>	<u>1,466,899</u>	<u>50.58</u>	<u>1,318,457</u>	<u>41.79</u>
TRANSFERS AMONG FUNDS:					
Transfers In	-	-	-	-	-
Transfers Out	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Increase (Decrease) in Net Position	<u>\$ -</u>	<u>\$ 195,283</u>		<u>\$ 281,437</u>	

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San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

28 Private Gifts and Donations

	<u>Adjusted Budget</u>	<u>Actual (17%)</u>	<u>% Actual to Adjusted Budget</u>	<u>10/31/20</u>	<u>% of 8/31/21 Actual</u>
REVENUES:					
Sales & Service	\$ -	\$ 934	-	\$ 24,613	97.35
Total	-	934	-	24,613	97.35
EXPENDITURES:					
Instruction	-	2,503	-	3,869	14.60
Scholarships and Fellowships	-	-	-	13,715	-
Total	-	2,503	-	17,584	66.35
TRANSFERS AMONG FUNDS:					
Transfers In	-	-	-	-	-
Transfers Out	-	-	-	-	-
Net Increase (Decrease) in Net Position	<u>\$ -</u>	<u>\$ (1,569)</u>		<u>\$ 7,029</u>	

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San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

Auxiliary Enterprises

	<u>Adjusted Budget</u>	<u>Actual (17%)</u>	<u>% Actual to Adjusted Budget</u>	<u>10/31/20</u>	<u>% of 8/31/21 Actual</u>
REVENUES:					
Auxiliary Services	\$ 2,865,500	\$ 582,318	20.32	536,529	26.59
Total	<u>2,865,500</u>	<u>582,318</u>	<u>20.32</u>	<u>536,529</u>	<u>26.59</u>
EXPENDITURES:					
Labor	481,621	78,645	16.33	27,915	13.56
Benefits	65,000	14,228	21.89	57,506	100.12
Supplies	387,213	54,473	14.07	8,610	6.68
Travel	193,179	19,125	9.90	3,203	1.60
Contracted Services	262,630	43,326	16.50	6,924	10.13
Capital Outlay	-	-	-	-	-
Scholarships and Fellowships	1,148,757	310,033	26.99	339,338	28.52
Utilities	200	-	-	-	-
Total	<u>2,538,600</u>	<u>519,829</u>	<u>20.48</u>	<u>443,496</u>	<u>23.80</u>
TRANSFERS AMONG FUNDS:					
Transfers In	-	-	-	-	-
Transfers Out	-	-	-	-	-
Net Increase (Decrease) in Net Position	<u>\$ 326,900</u>	<u>\$ 62,490</u>		<u>\$ 93,033</u>	

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San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

95 Retirement of Indebtedness

	Adjusted Budget	Actual (17%)	% Actual to Adjusted Budget	10/31/20	% of 8/31/21 Actual
REVENUES:					
Investment Income	\$ -	\$ 363	-	\$ 1,613	18.47
Local Taxes - Debt Service	<u>36,056,758</u>	<u>38,098</u>	<u>0.11</u>	<u>90,432</u>	<u>0.24</u>
Total	<u>36,056,758</u>	<u>38,461</u>	<u>0.11</u>	<u>92,045</u>	<u>0.25</u>
EXPENDITURES:					
Institutional Support - Principal	12,703,426	-	-	-	-
Institutional Support - Interest	<u>26,620,757</u>	<u>4,503,268</u>	<u>16.92</u>	<u>3,995,460</u>	<u>17.52</u>
Total	<u>39,324,183</u>	<u>4,503,268</u>	<u>11.45</u>	<u>3,995,460</u>	<u>10.30</u>
TRANSFERS AMONG FUNDS:					
Transfers In	(3,267,425)	-	-	-	-
Transfers Out	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Adjustment for Debt Principal Payment ¹	<u>(12,703,426)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Increase (Decrease) in Net Position	<u>\$ 12,703,426</u>	<u>\$ (4,464,807)</u>		<u>\$ (3,903,415)</u>	

1

Per government accounting practices, principal payments included in the expenditure line items above are subsequently deducted from total year-to-date expenditures and reclassified as a reduction to the appropriate liability line item on the Statement of Net Position.

The year-end financial statements for August 31, 2021 are not final. They are pending closing adjustments and final audit review which should be complete in mid-December and may impact beginning balances for fiscal year 2021-2022.

San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

97 Investment in Plant

	<u>Adjusted Budget</u>	<u>Actual (17%)</u>	<u>% Actual to Adjusted Budget</u>	<u>10/31/20</u>	<u>% of 8/31/21 Actual</u>
EXPENDITURES:					
Depreciation	\$ 22,600,000	\$ 3,891,301	17.22	\$ 3,565,771	16.42
Total	<u>22,600,000</u>	<u>3,891,301</u>	<u>17.22</u>	<u>3,565,771</u>	<u>16.42</u>
Adjustment for Capital Purchases ¹	<u>(1,325,182)</u>	<u>(6,287)</u>	<u>-</u>	<u>(159,705)</u>	<u>20.72</u>
TRANSFERS AMONG FUNDS:					
Transfers In	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Increase (Decrease) in Net Position	<u>\$ (21,274,818)</u>	<u>\$ (3,885,014)</u>		<u>\$ (3,406,066)</u>	

¹ Per government accounting practices, capital purchases included in the expenditure line items for fund type 11, federal and state restricted funds, and auxiliary funds are subsequently deducted from total year-to-date expenditures and reclassified as an increase to the appropriate asset line item on the Statement of Net Position.

The year-end financial statements for August 31, 2021 are not final. They are pending closing adjustments and final audit review which should be complete in mid-December and may impact beginning balances for fiscal year 2021-2022.

San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

Consolidated -All Funds
(Not Including Capital Improvement Program)

	Adjusted Budget	Actual (17%)	% Actual to Adjusted Budget	10/31/20	% of 8/31/21 Actual
REVENUES:					
State Appropriations	\$ 53,170,389	\$ 11,876,067	22.34	\$ 12,081,432	22.41
Local Taxes - Maintenance & Operations	73,800,000	76,082	0.10	183,878	0.25
Local Taxes - Debt Service	36,056,758	38,098	0.11	90,432	0.24
Credit Tuition	65,400,000	36,474,961	55.77	35,618,275	56.57
Credit Exemptions & Waivers	(9,160,000)	(3,766,505)	41.12	(4,064,247)	47.29
Continuing Education					
CPET	480,000	17,362	3.62	42,949	16.38
Maritime Transportation	1,300,000	300,424	23.11	282,047	24.12
Continuing Professional Development	5,925,000	1,189,113	20.07	984,372	19.27
Continuing Education Exemptions & Waivers	(154,100)	(21,365)	13.86	-	0.00
Bad Debt	(1,400,000)	(116,667)	8.33	(316,667)	47.23
Sales & Services	1,625,000	493,990	30.40	371,774	20.73
Investment Income	250,000	8,915	3.57	33,166	28.77
Investment Income - San Jac Tomorrow Program	-	8,914	-	32,910	30.83
HEERF Lost Revenue	8,250,000	-	-	-	-
Auxiliary Services	2,865,500	582,318	20.32	536,529	26.59
Grants	113,495,464	34,812,574	30.67	15,162,658	24.36
Local Grants	7,924,461	1,453,665	18.34	411,020	12.42
Total	<u>359,828,472</u>	<u>83,427,947</u>	<u>23.19</u>	<u>61,450,528</u>	<u>20.60</u>
EXPENDITURES:					
Instruction	81,346,764	14,616,803	17.97	13,296,397	17.98
Public Service	500,123	65,239	13.04	1,019,186	14.11
Academic Support	27,545,929	3,790,461	13.76	3,599,884	18.53
Student Services	23,138,366	2,514,526	10.87	2,418,520	13.94
Institutional Support	127,826,914	12,828,275	10.04	11,362,079	13.31
Physical Plant	25,203,755	2,535,080	10.06	2,283,102	13.16
Scholarships and Fellowships	71,401,120	36,306,855	50.85	16,143,065	27.59
Auxiliary Enterprises	2,538,600	519,829	20.48	443,496	23.80
Depreciation	22,600,000	3,891,301	17.22	3,565,771	16.42
Total	<u>382,101,572</u>	<u>77,068,369</u>	<u>20.17</u>	<u>54,131,500</u>	<u>17.61</u>
TRANSFERS AMONG FUNDS:					
Transfers In	(3,733,925)	(26,284)	0.70	4,899	-0.14
Transfers Out	3,733,925	26,284	0.70	(4,899)	-0.14
Adjustment for Debt Principal Payment ¹	(12,703,426)	-	-	-	-
Adjustment for Capital Purchases ¹	(1,325,182)	(6,287)	-	(159,705)	20.72
Net Increase (Decrease) in Net Position	<u>\$ (8,244,492)</u>	<u>\$ 6,365,865</u>		<u>\$ 7,478,733</u>	

¹ Per government accounting practices, capital purchases and principal payments included in the expenditure line items above are subsequently deducted from total year-to-date expenditures and reclassified as an increase or reduction to the appropriate asset or liability line item on the Statement of Net Position.

The year-end financial statements for August 31, 2021 are not final. They are pending closing adjustments and final audit review which should be complete in mid-December and may impact beginning balances for fiscal year 2021-2022.

Capital Improvement Program

San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

91 Capital Projects

	<u>Adjusted Budget</u>	<u>Actual (17%)</u>	<u>10/31/20</u>	<u>% of 8/31/21 Actual</u>
REVENUES:				
Investment Income	\$ -	\$ 8,914	\$ 32,910	30.83
Total	<u>-</u>	<u>8,914</u>	<u>32,910</u>	<u>30.83</u>
EXPENDITURES:				
Bond Programs	<u>112,701,300</u>	<u>4,417,822</u>	<u>4,770,183</u>	<u>5.59</u>
Total	<u>112,701,300</u>	<u>4,417,822</u>	<u>4,770,183</u>	<u>5.59</u>
Net Increase (Decrease) in Net Position	<u>\$ (112,701,300)</u>	<u>\$ (4,408,908)</u>	<u>\$ (4,737,273)</u>	

The year-end financial statements for August 31, 2021 are not final. They are pending closing adjustments and final audit review which should be complete in mid-December and may impact beginning balances for fiscal year 2021-2022.

San Jacinto Community College District
Statement of Revenues, Expenditures and Changes In Net Position - PRELIMINARY
For the Two Months Ended October 31, 2021

93 Generation Park Clear Lake Land Proceeds

	Adjusted Budget	Actual (17%)	10/31/20	% of 8/31/21 Actual
REVENUES:				
Land Sale Proceeds	\$ -	\$ -	\$ -	-
Total	-	-	-	-
EXPENDITURES:				
Generation Park	19,018	-	5,492	5.60
Total	19,018	-	5,492	5.60
TRANSFERS AMONG FUNDS:				
Transfers In	-	-	-	-
Transfers Out	-	-	-	-
Net Increase (Decrease) in Net Position	\$ (19,018)	\$ -	\$ (5,492)	

The year-end financial statements for August 31, 2021 are not final. They are pending closing adjustments and final audit review which should be complete in mid-December and may impact beginning balances for fiscal year 2021-2022.

San Jacinto College Financial Statements
Monthly Investment Report
October 2021

SAN JACINTO COMMUNITY COLLEGE DISTRICT
Cash, Cash Equivalents, and Investments
Portfolio Summary Report
Period Ending October 31, 2021

		<u>Fair Value</u>	<u>Book Value</u>
Beginning Value	October 1, 2021	\$ 176,811,009	\$ 176,811,009
Additions/Subtractions (Net)		(11,740,887)	(11,740,887)
Change in Fair Value*		-	-
Ending Value	October 31, 2021	<u>\$ 165,070,122</u>	<u>\$ 165,070,122</u>

Earnings for the Month of October	\$	8,731
Weighted Average Maturity at Ending Period Date (Days)		1.00
Weighted Average Earnings Rate		0.0613%
Benchmark - One Year Treasury Yield		0.1500%

*On investments held to term, it is the policy of San Jacinto College to hold investments to maturity thus mitigating the impact of market losses.

The investment portfolio is in compliance with the Public Funds Investment Act and the College's Investment Policy.

Prepared by:



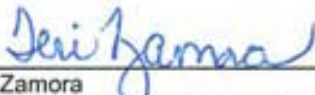
William E. Dickerson
 Director of Accounting & Financial Services

Reviewed by:



Carin Hutchins
 Associate Vice Chancellor of Finance

Reviewed by:



Teri Zamora
 Vice Chancellor of Fiscal Affairs

SAN JACINTO COMMUNITY COLLEGE DISTRICT
Cash, Cash Equivalents, and Investments
Weighted Average to Maturity
October 31, 2021

Description	Held At	Annualized Interest Rate	Purchase Date	Maturity	Par	Fair Value	Book Value	% of Total Portfolio	Days to Maturity	Weighted Avg. Mat.
Short-Term Investments - Cash & Cash Equivalents										
Credit Cards in Transit	Heartland	N/A	N/A	11/01/21	\$	38,373	\$ 38,373	0.02%	1	0.00
JPMorgan Accounts Payable Disbursements	JPMorgan Chase Bank	N/A	N/A	11/01/21	N/A	(821,715)	(821,715)	-0.50%	1	0.00
JPMorgan Operating	JPMorgan Chase Bank	N/A	N/A	11/01/21	N/A	13,116,181	13,116,181	7.95%	1	0.08
JPMorgan Payroll	JPMorgan Chase Bank	N/A	N/A	11/01/21	N/A	(22,894)	(22,894)	-0.01%	1	0.00
JPMorgan Workmen's Comp	JPMorgan Chase Bank	N/A	N/A	11/01/21	N/A	(2,161)	(2,161)	0.00%	1	0.00
Petty Cash	Campus Business Offices	N/A	N/A	11/01/21	N/A	19,167	19,167	0.01%	1	0.00
East West MM Operating Account	East West Bank	0.0500%	N/A	11/01/21	N/A	30,028,308	30,028,308	18.19%	1	0.18
LSJP Corporate Overnight Plus Fund- Operating Funds	Lone Star Investment Pool	0.0792%	N/A	11/01/21	N/A	40,054,035	40,054,035	24.26%	1	0.24
TexPool - Operating	TexPool	0.0354%	N/A	11/01/21	N/A	65,501	65,501	0.04%	1	0.00
Restricted - Cash & Cash Equivalents										
LSJP Corporate Overnight Plus Fund - 2008 GOB Bond Proceeds	Lone Star Investment Pool	0.0792%	N/A	11/01/21	N/A	1,297,921	1,297,921	0.79%	1	0.01
LSJP Corporate Overnight Plus Fund - GOB Debt Service	Lone Star Investment Pool	0.0792%	N/A	11/01/21	N/A	468,899	468,899	0.28%	1	0.00
LSJP Corporate Overnight Plus Fund - 2004 Bond Earnings	Lone Star Investment Pool	0.0792%	N/A	11/01/21	N/A	811,032	811,032	0.49%	1	0.00
LSJP Corporate Overnight Plus Fund - 2007 Bond Earnings	Lone Star Investment Pool	0.0792%	N/A	11/01/21	N/A	179,194	179,194	0.11%	1	0.00
LSJP Corporate Overnight Plus Fund - 2008 Bond Earnings	Lone Star Investment Pool	0.0792%	N/A	11/01/21	N/A	845,333	845,333	0.51%	1	0.01
LSJP Corporate Overnight Plus Fund - 2009 Bond Earnings	Lone Star Investment Pool	0.0792%	N/A	11/01/21	N/A	1,564,676	1,564,676	0.95%	1	0.01
LSJP Corporate Overnight Plus Fund - 2011 Bond Earnings	Lone Star Investment Pool	0.0792%	N/A	11/01/21	N/A	923,991	923,991	0.56%	1	0.01
TexPool PRIME - 2019 Bond Proceeds	TexPool	0.0615%	N/A	11/01/21	N/A	-	-	0.00%	1	0.00
TexPool PRIME - 2021 Bond Proceeds	TexPool	0.0615%	N/A	11/01/21	N/A	76,504,281	76,504,281	46.35%	1	0.46
Grand Total Short-Term Investments and Cash & Cash Equivalents										
						\$	\$ 165,070,122	100.00%		
						\$	\$ 165,070,122	100.00%		

Weighted Average to Maturity at Ending Period Date (Days)

ACFR	Weighted Average to Maturity at Ending Period Date (Days)
Note 4	19,167
74.34%	Petty cash on hand
18.19%	Investment pools
7.47%	Money market
-	Bank deposits - demand deposits
-	U. S. government securities and municipal bonds
-	Accrued earnings
\$ 165,070,122	Total cash, cash equivalents, and investments
	<u>1.00</u>

SAN JACINTO COMMUNITY COLLEGE DISTRICT
Cash, Cash Equivalents, and Investments
Inventory Holdings Report
October 31, 2021

Description	Held At	Annualized Interest Rate	Maturity	Par	9/30/2021		10/31/2021		Change in Fair Value For the Month	October Earnings		
					Ending Fair Value	Ending Book Value	Ending Fair Value	Ending Book Value				
Short-Term Investments - Unrestricted Funds												
Demand Deposits												
Credit Cards in Transit												
JP Morgan Accounts Payable Disbursements	Heartland	N/A	11/01/21	\$	16,209	\$	38,373	\$	38,373	\$	22,164	N/A
JP Morgan Operating	JP Morgan Chase Bank	N/A	11/01/21	N/A	(2,760,944)		(821,716)		(821,716)		1,939,229	N/A
JP Morgan Payroll	JP Morgan Chase Bank	N/A	11/01/21	N/A	13,885,413		13,116,181		(769,232)		(8,122)	N/A
JP Morgan Workmen's Comp	JP Morgan Chase Bank	N/A	11/01/21	N/A	(14,772)		(22,894)		(8,122)		(1,466)	N/A
Petty Cash	JP Morgan Chase Bank	N/A	11/01/21	N/A	(695)		(2,161)		(1,466)		-	N/A
Sub Total Demand Deposits	Campus Business Offices	N/A	11/01/21	\$	19,167	\$	19,167	\$	19,167	\$	-	N/A
					11,144,378		12,326,951		1,182,573		1,182,573	N/A
Money Market Accounts												
East West MIM Operating Account	East West Bank	0.0500%	11/01/21	\$	30,027,160	\$	30,028,308	\$	30,028,308	\$	1,148	1,148
Sub Total Money Market Accounts					30,027,160		30,028,308		1,148		1,148	
Pool Accounts												
TexPool - Operating	TexPool	0.0354%	11/01/21	\$	93,751	\$	65,501	\$	65,501	\$	(28,250)	10
TexPool PRIME - Operating	TexPool	0.0615%	11/01/21	N/A	-		-		-		-	-
LSIP Corporate Overnight Plus Fund - Operating Funds	Lone Star Investment Pool	0.0792%	11/01/21	\$	48,503,306		40,054,035		(8,449,271)		(8,449,271)	2,872
Sub Total Pool Accounts					48,597,057		40,119,536		(8,477,521)		(8,477,521)	2,882
Sub Total - Short Term Investments - Unrestricted Funds					89,768,595		82,474,795		(7,293,800)		(7,293,800)	4,130
Short-Term Investments - Restricted (Bond) Funds												
Pool Accounts												
LSIP Corporate Overnight Plus Fund - 2008 GOB Bond Proceeds	Lone Star Investment Pool	0.0792%	11/01/21	N/A	1,353,018		1,297,921		(55,097)		(55,097)	90
LSIP Corporate Overnight Plus Fund - GOB Debt Service	Lone Star Investment Pool	0.0792%	11/01/21	N/A	468,867		468,899		32		32	32
LSIP Corporate Overnight Plus Fund - 2004 Bond Earnings	Lone Star Investment Pool	0.0792%	11/01/21	N/A	810,978		811,032		54		54	54
LSIP Corporate Overnight Plus Fund - 2007 Bond Earnings	Lone Star Investment Pool	0.0792%	11/01/21	N/A	179,162		179,194		32		32	32
LSIP Corporate Overnight Plus Fund - 2008 Bond Earnings	Lone Star Investment Pool	0.0792%	11/01/21	N/A	845,276		845,333		57		57	57
LSIP Corporate Overnight Plus Fund - 2009 Bond Earnings	Lone Star Investment Pool	0.0792%	11/01/21	N/A	1,564,570		1,564,676		106		106	106
LSIP Corporate Overnight Plus Fund - 2011 Bond Earnings	Lone Star Investment Pool	0.0792%	11/01/21	N/A	923,929		923,991		62		62	62
TexPool PRIME - 2019 Bond Proceeds	TexPool	0.0615%	11/01/21	N/A	18		18		-		-	-
TexPool PRIME - 2021 Bond Proceeds	TexPool	0.0615%	11/01/21	\$	80,896,576		76,504,281		(4,392,295)		(4,392,295)	4,188
Sub Total Pool Accounts					87,042,414		82,595,327		(4,447,087)		(4,447,087)	4,601
Sub Total - Short Term Investments - Restricted (Bond) Funds					87,042,414		82,595,327		(4,447,087)		(4,447,087)	4,601
Grand Total					176,811,009		165,070,122		(11,740,887)		(11,740,887)	8,731

San Jacinto College Foundation Financial Statements
October 2021

San Jacinto College Foundation

Statement of Financial Position

As of October 31, 2021

	Current Year			Previous Year			Difference		
	Foundation	Student Success Fund	Total	Foundation	Student Success Fund	Total	Foundation	Student Success Fund	Total
SSETS									
Current Assets									
Checking/Savings									
General Fund	\$1,525,776	-	\$1,525,776	\$1,914,599	-	\$1,914,599	(388,823)	-	(\$388,823)
Other Funds	-	-	-	-	-	-	-	-	-
Total Checking/Savings	1,525,776	-	1,525,776	1,914,599	-	1,914,599	(388,823)	-	(388,823)
Accounts Receivables	3,577,340	-	3,577,340	4,187,500	-	4,187,500	(610,160)	-	(610,160)
Other Current Assets									
Short Term Investments									
Goldman Sachs	15,466,590	29,369,558	44,836,147	12,150,399	-	12,150,399	3,316,191	29,369,558	32,685,749
Capital Bank CD	-	-	-	211,324	-	211,324	(211,324)	-	(211,324)
Prosperity Bank	-	-	-	210,969	-	210,969	(210,969)	-	(210,969)
Total SJC Short Term Investments	15,466,590	29,369,558	44,836,147	12,572,692	-	12,572,692	2,893,898	29,369,558	32,263,456
Total Current Assets	20,569,706	29,369,558	49,939,263	18,674,790	-	18,674,790	1,894,915	29,369,558	31,264,473
TOTAL ASSETS	20,569,706	29,369,558	49,939,263	18,674,790	-	18,674,790	1,894,915	29,369,558	31,264,473
LIABILITIES & NET ASSETS									
Liabilities									
Current Liabilities									
Accounts Payable									
Grants Payable	43,091	-	43,091	44,746	-	44,746	(1,655)	-	(1,655)
Programs Payable	19,198	-	19,198	6,895	-	6,895	12,303	-	12,303
Endowments Payable	150,693	-	150,693	191,160	-	191,160	(40,468)	-	(40,468)
Scholarship Payables	419,616	-	419,616	360,992	-	360,992	58,624	-	58,624
Student Success Payables	140,675	-	140,675	96,981	-	96,981	43,694	-	43,694
Total Accounts Payable	773,272	-	773,272	700,775	-	700,775	72,497	-	72,497
Total Current Liabilities	773,272	-	773,272	700,775	-	700,775	72,497	-	72,497
Total Liabilities	773,272	-	773,272	700,775	-	700,775	72,497	-	72,497
NET ASSETS									
Net Assets Without Donor Restrictions	4,200,497	30,000,254	34,200,751	3,584,742	-	3,584,742	615,755	30,000,254	30,616,009
Net Assets With Donor Restrictions	15,859,621	-	15,859,621	14,481,780	-	14,481,780	1,377,841	-	1,377,841
Net Assets	20,060,118	30,000,254	50,060,371	18,066,522	-	18,066,522	2,066,093	30,000,254	32,066,347
Net Income	(263,684)	(630,696)	(894,380)	(92,506)	-	(92,506)	(171,178)	(630,696)	(801,874)
Total Net Assets	19,796,434	29,369,558	49,165,991	17,974,015	-	17,974,015	1,822,418	29,369,558	31,191,976
TOTAL LIABILITIES & NET ASSETS	\$20,569,706	\$29,369,558	\$49,939,263	\$18,674,790	-	\$18,674,790	1,894,915	\$29,369,558	\$31,264,473

San Jacinto College Foundation

Statement of Activities

For the Period Ending October 31, 2021

	Current Year			Previous Year			Difference			Foundation Annual Budget	Actual % of Annual Budget
	Foundation	Student Success Fund	Total	Foundation	Student Success Fund	Total	Foundation	Student Success Fund	Total		
Ordinary Income/Expense											
Income											
Contributions											
Grant Contributions	-	-	-	6,000	-	6,000	(6,000)	-	(6,000)	96,000	0%
Endowments	4,694	-	4,694	(7,355)	-	(7,355)	12,049	-	12,049	75,000	6%
Program Sponsorship	82,821	-	82,821	63,425	-	63,425	19,397	-	19,397	275,000	30%
Scholarships	185,399	-	185,399	110,551	-	110,551	74,848	-	74,848	400,000	46%
Total Contributions	<u>272,914</u>	<u>-</u>	<u>272,914</u>	<u>172,620</u>	<u>-</u>	<u>172,620</u>	<u>100,294</u>	<u>-</u>	<u>100,294</u>	<u>846,000</u>	<u>32%</u>
Other Income											
Special Events	-	-	-	4,562	-	4,562	(4,562)	-	(4,562)	185,000	0%
Investment Income	99,097	611	99,708	45,932	-	45,932	53,165	611	53,776	600,000	17%
Realized Gain / (Loss)	38,673	-	38,673	21,808	-	21,808	16,866	-	16,866	-	-
Unrealized Gain / (Loss)	103,515	36	103,551	152,074	-	152,074	(48,523)	36	(48,523)	-	-
Total Other Income	<u>241,286</u>	<u>647</u>	<u>241,932</u>	<u>224,375</u>	<u>-</u>	<u>224,375</u>	<u>16,946</u>	<u>647</u>	<u>17,557</u>	<u>785,000</u>	<u>31%</u>
Total Income	<u>514,200</u>	<u>647</u>	<u>514,846</u>	<u>396,995</u>	<u>-</u>	<u>396,995</u>	<u>117,240</u>	<u>647</u>	<u>117,851</u>	<u>1,631,000</u>	<u>32%</u>
Expense											
Programs											
Scholarships Awarded - SSF		631,343	631,343		-	-	-	(631,343)	(631,343)		
Scholarships Awarded - FND	690,379	-	690,379	393,299	-	393,299	(297,080)	-	(297,080)	800,000	86%
Programs Sponsored	23,573	-	23,573	65,269	-	65,269	41,697	-	41,697	600,000	4%
Student Success Initiatives	50,629	-	50,629	28,857	-	28,857	(21,772)	-	(21,772)	150,000	34%
Total Programs	<u>764,580</u>	<u>631,343</u>	<u>1,395,923</u>	<u>487,425</u>	<u>-</u>	<u>487,425</u>	<u>(277,155)</u>	<u>(631,343)</u>	<u>(908,498)</u>	<u>1,550,000</u>	<u>49%</u>
Supporting Services											
Bad Debt Expense	-	-	-	-	-	-	-	-	-	2,000	0%
Supporting Services											
Foundation Expenses	11,103	-	11,103	1,876	-	1,876	(9,227)	-	(9,227)	86,000	13%
Fundraising Expenses	-	-	-	-	-	-	-	-	-	85,000	0%
Sponsorship Expense	2,200	-	2,200	200	-	200	(2,000)	-	(2,000)	5,000	44%
Total Supporting Services	<u>13,303</u>	<u>-</u>	<u>13,303</u>	<u>2,076</u>	<u>-</u>	<u>2,076</u>	<u>(11,227)</u>	<u>-</u>	<u>(11,227)</u>	<u>176,000</u>	<u>8%</u>
Total Expense	<u>777,884</u>	<u>631,343</u>	<u>1,409,226</u>	<u>489,501</u>	<u>-</u>	<u>489,501</u>	<u>(288,383)</u>	<u>(631,343)</u>	<u>(919,725)</u>	<u>1,728,000</u>	<u>45%</u>
Net Ordinary Income	<u>(263,684)</u>	<u>(630,696)</u>	<u>(894,380)</u>	<u>(92,506)</u>	<u>-</u>	<u>(92,506)</u>	<u>(171,178)</u>	<u>(630,696)</u>	<u>(801,874)</u>	<u>(97,000)</u>	
Other Income / Expenses											
Increase/Decrease in Net Position	<u>(263,684)</u>	<u>(630,696)</u>	<u>(894,380)</u>	<u>(92,506)</u>	<u>-</u>	<u>(92,506)</u>	<u>(171,178)</u>	<u>(630,696)</u>	<u>(801,874)</u>	<u>(97,000)</u>	

**San Jacinto College Foundation Financial Statements
Financial Audit Years Ended June 30, 2021 and 2020**

**SAN JACINTO COMMUNITY COLLEGE
FOUNDATION, INC.**

FINANCIAL STATEMENTS

Years Ended June 30, 2021 and 2020

S SAN JACINTO
C COLLEGE

FOUNDATION

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.
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INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
San Jacinto Community College Foundation, Inc.

Report of Financial Statements

We have audited the accompanying financial statements of San Jacinto Community College Foundation, Inc. (the Foundation), which comprise the statements of financial position as of June 30, 2021 and 2020, the related statements of activities and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Foundation's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

To the Board of Directors
San Jacinto Community College Foundation, Inc.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of San Jacinto Community College Foundation, Inc. as of June 30, 2021 and 2020, and the changes in net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

A handwritten signature in black ink that reads "Whitley Penn LLP". The signature is written in a cursive, flowing style.

Houston, Texas
November 12, 2021

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.**STATEMENTS OF FINANCIAL POSITION***June 30, 2021 and 2020*

	<u>2021</u>	<u>2020</u>
Assets		
Cash and cash equivalents	\$ 3,123,085	\$ 1,845,093
Pledges receivable (Notes 3 and 9)	136,940	285,759
Investments (Note 4)	43,725,580	12,352,256
Pledges receivable with perpetual donor restrictions (Notes 3 and 9)	<u>3,507,500</u>	<u>4,008,500</u>
Total Assets	<u>\$ 50,493,105</u>	<u>\$ 18,491,608</u>
Liabilities and Net Assets		
Liabilities		
Scholarships and programs payable (Note 5)	<u>\$ 365,749</u>	<u>\$ 358,100</u>
Total Liabilities	<u>365,749</u>	<u>358,100</u>
Net Assets		
Without donor restrictions (Note 7)	35,193,863	4,294,589
With donor restrictions (Notes 6 and 7)	<u>14,933,493</u>	<u>13,838,919</u>
Total Net Assets	<u>50,127,356</u>	<u>18,133,508</u>
Total Liabilities and Net Assets	<u>\$ 50,493,105</u>	<u>\$ 18,491,608</u>

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.
STATEMENTS OF ACTIVITIES AND CHANGES IN NET ASSETS
For the Years Ended June 30, 2021 and 2020

	2021		Total
	Without Donor Restrictions	With Donor Restrictions	
Public Support and Revenues			
Contributions (Notes 8 and 9)	\$ 30,401,032	1,696,309	\$ 32,097,341
Special events, net costs of direct donor benefits	4,562	-	4,562
Interest and dividends, net of investment expenses	147,028	101,441	248,469
Net change in fair value of investments	920,422	627,266	1,547,688
Net assets related from restrictions (Note 6)	1,330,442	(1,330,442)	-
Total Public Support and Revenues	32,803,486	1,094,574	33,898,060
Expenses			
Program services	1,463,609	-	1,463,609
Supporting services (Note 8):			
General and administrative	332,030	-	332,030
Fundraising	108,573	-	108,573
Total Expenses	1,904,212	-	1,904,212
Changes in Net Assets	30,899,274	1,094,574	31,993,848
Net Assets, Beginning of Year	4,294,589	13,838,919	18,133,508
Net Assets, End of Year	\$ 35,193,863	\$ 14,933,493	\$ 50,127,356

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.
STATEMENTS OF ACTIVITIES AND CHANGES IN NET ASSETS
For the Years Ended June 30, 2021 and 2020

	2020		Total
	Without Donor Restrictions	With Donor Restrictions	
Public Support and Revenues			
Contributions (Notes 8 and 9)	\$ 484,352	5,816,556	\$ 6,300,908
Special events, net costs of direct donor benefits	305,196	-	305,196
Interest and dividends, net of investment expenses	157,794	133,498	291,292
Net change in fair value of investments	713,863	(515,548)	198,315
Net assets related from restrictions (Note 6)	<u>1,179,087</u>	<u>(1,179,087)</u>	<u>-</u>
Total Public Support and Revenues	<u>2,840,292</u>	<u>4,255,419</u>	<u>7,095,711</u>
Expenses			
Program services	1,188,325	-	1,188,325
Supporting services (Note 8):			
General and administrative	362,021	-	362,021
Fundraising	<u>170,471</u>	<u>-</u>	<u>170,471</u>
Total Expenses	<u>1,720,817</u>	<u>-</u>	<u>1,720,817</u>
Changes in Net Assets	1,119,475	4,255,419	5,374,894
Net Assets, Beginning of Year	<u>3,175,114</u>	<u>9,583,500</u>	<u>12,758,614</u>
Net Assets, End of Year	<u>\$ 4,294,589</u>	<u>\$ 13,838,919</u>	<u>\$ 18,133,508</u>

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.**STATEMENTS OF CASH FLOWS***For the Years Ended June 30, 2021 and 2020*

	<u>2021</u>	<u>2020</u>
Cash flows from operating activities:		
Change in net assets	\$ 31,993,848	\$ 5,374,894
Adjustments to reconcile change in net assets to net cash provided by operating activities:		
Net Change in fair value of investments	(1,547,688)	(198,315)
Contributions with perpetual donor restrictions	(570,045)	(4,046,613)
(Increase) Decrease in pledges receivable	148,819	(107,886)
Increase (decrease) in scholarships and programs payable	7,649	(33,009)
Net cash provided (used) by operating activities	<u>30,032,583</u>	<u>989,071</u>
Cash flows from investing activities:		
Sale (purchase) of investments	(29,825,636)	(287,015)
Net cash provided by (used in) investing activities	<u>(29,825,636)</u>	<u>(287,015)</u>
Cash flows from financing activities:		
Proceeds from contributions with perpetual donor restrictions	1,071,045	48,113
Net cash provided (used) by financing activities	<u>1,071,045</u>	<u>48,113</u>
Net change in cash and cash equivalents	1,277,992	750,169
Cash and cash equivalents at beginning of year	<u>1,845,093</u>	<u>1,094,924</u>
Cash and cash equivalents at end of year	<u>\$ 3,123,085</u>	<u>\$ 1,845,093</u>

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.

NOTES TO FINANCIAL STATEMENTS

Note 1 - Description of Organization

San Jacinto Community College Foundation, Inc. (the Foundation) was organized in the State of Texas on November 4, 1996 to function as a not-for-profit corporation. The duration of the Foundation is perpetual. The Foundation was established to raise private funds for the San Jacinto Community College District (the College) for charitable, scientific, literary, and educational purposes, which are to be administered by the Foundation solely for the benefit of the College, and to account for and enhance the value of funds submitted to it in support of the educational mission of the College.

The Foundation is supported by private gifts, bequests and donations from individuals and private organizations.

Note 2 - Summary of Significant Accounting Policies

A. Financial Statement Presentation

The Foundation reports information regarding its financial position and activities according to two classes of net assets: with donor restrictions and without donor restrictions. Net assets, including endowment funds, and changes therein are classified and reported as follows:

Net assets without donor restrictions - Net assets available for use in general operations and not subject to donor restrictions. The Board of Directors has designated from net assets without donor restrictions, net assets for a board-designated endowment for special purposes.

Net assets with donor restrictions - Net assets that are subject to donor-imposed restrictions. Some donor-imposed restrictions are temporary in nature, such as those that will be met by either action or passage of time. Other donor-imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained in perpetuity. Donor-imposed restrictions are released when a restriction expires, that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

B. Public Support and Revenue

Contributions are generally available for unrestricted use unless specifically restricted by the donor. Unconditional promises to give are recorded as received. Unconditional promises to give that are due in the next year are recorded at their net realizable value. Unconditional promises to give that are due in subsequent years are discounted to estimate the present value of future cash flows, if material. An allowance for potentially uncollectable promises is provided based on management's evaluation at year end. As of June 30, 2021 and 2020, no allowance was recorded.

Grants and other contributions of cash and other assets are reported as revenues with donor restrictions if they are received with donor stipulations that limit the use of the donated assets. When a donor restriction expires, that is, when a stipulated time restriction and/or purpose restriction is accomplished, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported as net assets released from restrictions in the statements of activities and changes in net assets.

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.

NOTES TO FINANCIAL STATEMENTS (continued)

Note 2 - Summary of Significant Accounting Policies (continued)

B. Public Support and Revenue (continued)

Contributions of donated non-cash assets are recorded at their fair values in the period received. Contributions of donated services that create or enhance non-financial assets or that require specialized skills, are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation, are recorded at their fair values in the period received. The Foundation receives a significant amount of donated services from unpaid volunteers who assist in fundraising and special projects. No amounts have been recognized in the statements of activities and changes in net assets because the criteria for recognition have not been satisfied.

C. Cash and Cash Equivalents

The Foundation considers all highly liquid investments with an original maturity of three months or less when purchased to be cash equivalents. Cash equivalents held for investment purposes are classified as investments in the statements of financial position and are not considered cash equivalents for the purposes of the statements of cash flows.

D. Investments

Investments are recorded at fair value as described in Note 4. Investment income and realized and unrealized gains and losses from investment transactions are initially recorded as with or without donor restrictions, based on donor-imposed restrictions, if any, and are reflected as net assets released from restrictions in the statements of activities and changes in net assets to the extent amounts become available for use during the period. Investment income is reported net of direct investment related expenses. Realized gains and losses are determined using the specific identification method.

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.

NOTES TO FINANCIAL STATEMENTS (continued)

Note 2 - Summary of Significant Accounting Policies (continued)

E. Functional Allocation of Expenses

The costs of program and supporting activities have been summarized on a functional basis in the statements of activities and changes in net assets. Expenses directly attributable to a specific functional area are reported as expenses of those functional areas. Salaries and related costs have been allocated across the functional areas based upon time and effort.

Functional expenses by natural classification for the year ended June 30, 2021 are as follows:

	2021			
	Program	General and Administrative	Fundraising	Total
Scholarships	\$ 765,066	\$ -	\$ -	\$ 765,066
Program Sponsorships	565,376	-	-	565,376
Student success initiatives	60,786	-	-	60,786
Bad debt expense	-	59,000	-	59,000
Contract services	-	46,447	-	46,447
Food	-	1,395	-	1,395
Office expenses	-	15,410	-	15,410
Other	-	436	-	436
Print and publications	-	4,797	-	4,797
Professional services	-	17,815	-	17,815
Salaries and related costs	72,381	180,954	108,573	361,908
Sponsorship of events	-	5,200	-	5,200
Travel	-	576	-	576
Total expenses by function	<u>1,463,609</u>	<u>332,030</u>	<u>108,573</u>	<u>1,904,212</u>
Less cost of direct donor benefits included within revenues on the statement of activities	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total expenses included in the expense section on the statement of activities	<u>\$ 1,463,609</u>	<u>\$ 332,030</u>	<u>\$ 108,573</u>	<u>\$ 1,904,212</u>

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS (continued)

Note 2 - Summary of Significant Accounting Policies (continued)

E. Functional Allocation of Expenses (continued)

Functional expenses by natural classification for the year ended June 30, 2020 are as follows:

	2020			Total
	Program	General and Administrative	Fundraising	
Scholarships	\$ 616,047	\$ -	\$ -	\$ 616,047
Program Sponsorships	408,010	-	-	408,010
Student success initiatives	97,990	-	-	97,990
Contract services	-	105,021	8,500	113,521
Cost of direct benefits to donors	-	-	60,211	60,211
Equipment and facility rental	-	22,204	2,794	24,998
Food	-	143	1,375	1,518
Office expenses	-	28,849	-	28,849
Other	-	1,432	7,237	8,669
Print and publications	-	198	2,230	2,428
Professional services	-	21,743	-	21,743
Professional memberships	-	5,780	-	5,780
Salaries and related costs	66,278	165,696	99,418	331,392
Sponsorship of events	-	6,100	39,748	45,848
Travel	-	4,855	9,169	14,024
Total expenses by function	1,188,325	362,021	230,682	1,781,028
Less cost of direct donor benefits included within revenues on the statement of activities	-	-	(60,211)	(60,211)
Total expenses included in the expense section on the statement of activities	<u>\$ 1,188,325</u>	<u>\$ 362,021</u>	<u>\$ 170,471</u>	<u>\$ 1,720,817</u>

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS (continued)

Note 2 - Summary of Significant Accounting Policies (continued)

F. Use of Estimates

The preparation of financial statements in accordance with GAAP requires management to make certain estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

G. Reclassifications

Certain amounts in the fiscal year 2020 financial statements have been reclassified to conform with the current year presentation.

H. Implementation of New Standards

In March 2021, the FASB issued ASU 2021-03 Intangibles – Goodwill and Other, Accounting Alternative for Evaluating Triggering Events, which provides private companies with an accounting alternative to perform the goodwill impairment triggering event evaluation as of the end of the reporting period. An entity that elects this alternative is not required to monitor for goodwill impairment triggering events throughout the reporting period but, instead, should evaluate the facts and circumstances as of the end of each reporting period to determine whether a triggering event exists and, if so, whether it is more likely than not that goodwill is impaired. The Foundation has adopted this guidance as of July 1, 2020, although there is no impact to the Foundation’s financial statements or operations.

Note 3 - Pledges Receivable

Pledges receivable consist of the following at June 30, 2021 and 2020:

<u>Fiscal Year of Pledge Due Date</u>	<u>June 30, 2021</u>	<u>June 30, 2020</u>
2021	N/A	\$ 190,259
2022	\$ 50,440	544,000
2023	544,000	510,000
2024	510,000	510,000
2025	510,000	510,000
2026	510,000	510,000
2027	510,000	510,000
2028	510,000	510,000
2029	500,000	500,000
Total pledges receivable	<u><u>\$ 3,644,440</u></u>	<u><u>\$ 4,294,259</u></u>

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.

NOTES TO FINANCIAL STATEMENTS (continued)

Note 4 - Fair Value Measurements

The Foundation has estimated the fair value of financial instruments in accordance with the requirements of fair value reporting. The Foundation utilizes observable market data when available, or models that utilize observable market data. In addition to market information, the Foundation incorporates transaction specific details that, in management's judgment, market participants would utilize in a fair value measurement.

Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date (exit price). Inputs used in determining fair value are characterized using a hierarchy that prioritizes inputs depending on the degree to which they are observable. The three levels of the fair value hierarchy are as follows:

Level 1 - Quoted prices in active markets for identical investments.

Level 2 - Other significant observable inputs, including quoted prices for similar investments in active markets or in markets not considered to be active.

Level 3 - Inputs that are not observable from objective sources, including the Foundation's own assumptions in determining the fair value of investments.

The asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

The following is a description of the valuation methodologies used for assets measured at fair value on a recurring basis at June 30, 2021 and 2020. There have been no changes in the methodologies used at June 30, 2021 from June 30, 2020.

Mutual and exchange traded funds: Valued at the underlying price per unit, which approximates fair value based on the publicly quoted market price of these funds.

Fixed income securities: Valued based on pricing models that consider standard input factors such as observable market data and benchmark yields.

Bank deposit account: Valued at cost, which approximates fair value.

Certificates of deposit: Valued at carrying amount, which approximates fair value.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while management believes the valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS (continued)

Note 4 - Fair Value Measurements (continued)

The following tables present the Foundation's fair value hierarchy for those assets measured at fair value on a recurring basis as of June 30, 2021:

	2021			
	Level 1	Level 2	Level 3	Total
Mutual funds:				
U.S. Fixed income	\$ 639,996	\$ -	\$ -	\$ 639,996
U.S. Equity	4,378,874	-	-	4,378,874
Foreign equity	1,172,322	-	-	1,172,322
Exchange traded fund:				
U.S. Equity	343,046	-	-	343,046
Corporate fixed income	-	7,173,465	-	7,173,465
Bank deposit account	-	30,017,877	-	30,017,877
Total	\$ 6,534,238	\$ 37,191,342	\$ -	\$ 43,725,580

The following tables present the Foundation's fair value hierarchy for those assets measured at fair value on a recurring basis as of June 30, 2020:

	2020			
	Level 1	Level 2	Level 3	Total
Mutual funds:				
U.S. Fixed income	\$ 526,928	\$ -	\$ -	\$ 526,928
U.S. Equity	3,043,094	-	-	3,043,094
Foreign equity	932,438	-	-	932,438
Exchange traded fund:				
U.S. Equity	296,136	-	-	296,136
Corporate fixed income	-	7,065,825	-	7,065,825
Bank deposit account	-	67,315	-	67,315
Certificates of deposit	-	420,520	-	420,520
Total	\$ 4,798,596	\$ 7,553,660	\$ -	\$ 12,352,256

Investments are exposed to various risks, such as interest rate, market, and credit. Due to the level of risk associated with certain investment securities and the level of uncertainty related to changes in the fair value of investment securities, it is at least reasonably possible that changes in risks in the near term could materially affect the net assets of the Foundation.

Note 5 - Scholarships and Programs Payable

Scholarships and programs payable consist of amounts awarded but not paid. The amounts payable of \$365,749 and \$358,100 as of June 30, 2021 and 2020, respectively, are expected to be paid within one year.

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.

NOTES TO FINANCIAL STATEMENTS (continued)

Note 6 - Net Assets with Donor Restrictions

The Foundations net assets with donor restrictions are available for the following purposes as of June 30:

	<u>2021</u>	<u>2020</u>
Subject to expenses for specified purpose (scholarship and program funds)	\$ 9,343,579	\$ 9,292,038
Subject to restriction in perpetuity (endowment funds)	5,589,914	4,546,881
Total net assets with donor restrictions	<u>\$ 14,933,493</u>	<u>\$ 13,838,919</u>

Net assets of \$1,330,442 and \$1,179,087 were released from donor restrictions during the years ended June 30, 2021 and 2020, respectively, by incurring expenses satisfying the purpose specified by donors.

Note 7 - Endowment Funds

The Foundation’s endowments consist of both donor-restricted endowment funds for scholarships and funds designated by the Board of Directors to function as an endowment for the Promise for Their Future program. Net assets associated with endowments are classified and reported based on the existence or absence of donor-imposed restrictions.

Interpretation of relevant law - The Board of Directors of the Foundation has interpreted the Uniform Prudent Management of Institutional Funds Act (UPMIFA) as requiring the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment funds absent explicit donor stipulations to the contrary. As a result of this interpretation, the Foundation classifies in net assets with donor restrictions (a) the original value of gifts donated to the perpetual endowment, (b) the original value of subsequent gifts to the perpetual endowment, and (c) accumulations to the perpetual endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund. In accordance with UPMIFA, the Foundation considers the following factors in making a determination to appropriate or accumulate donor restricted endowment funds: (1) the duration and preservation of the funds, (2) the purposes of the donor-restricted endowment funds, (3) general economic conditions, (4) the possible effect of inflation and deflation, (5) the expected total return from income and appreciation of investments, (6) other resources of the Foundation, and (7) the investment policies of the Foundation.

Investment and Spending policy - The Foundation has adopted an investment and spending policy for endowment assets that attempts to provide a predictable stream of funding to programs supported by its endowment while seeking to maintain the purchasing power of the endowment assets. The Foundation’s spending and investment policies work together to achieve this objective. The investment policy establishes an achievable return objective through diversification of asset classes. Actual returns in any given year may vary from this amount.

Strategies employed for achieving objectives - To satisfy its long-term rate of return objectives, the Foundation relies on a total return strategy in which investment returns are achieved through both capital appreciation (realized and unrealized) and current yield (interest and dividends). The Foundation targets a diversified asset allocation that places a greater emphasis on equity-based investments to achieve its long-term objective within prudent risk constraints. Over the long term, the Foundation expects its endowment assets to grow based on the current spending policy. This is consistent with the Foundation’s objective to maintain the purchasing power of the endowment assets held in perpetuity for a specific term as well as to provide additional real growth through new gifts and investment returns.

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS (continued)

Note 7 - Endowment Funds (continued)

Endowment composition - As of June 30, 2021 and 2020, endowment funds consisted of the following:

	2021			
	Without Donor Restrictions	With Donor Restrictions		Total
		Accumulated	Required to be	
		Net Investment Returns	Maintained in Perpetuity	
Donor endowment funds	\$ -	\$ 1,729,739	\$ 5,589,914	\$ 7,319,653
Board-designated endowment funds	1,320,483	-	-	1,320,483
Total endowment funds	\$ 1,320,483	\$ 1,729,739	\$ 5,589,914	\$ 8,640,136

	2020			
	Without Donor Restrictions	With Donor Restrictions		Total
		Accumulated	Required to be	
		Net Investment Returns	Maintained in Perpetuity	
Donor endowment funds	\$ -	\$ 1,106,701	\$ 4,546,881	\$ 5,653,582
Board-designated endowment funds	1,162,596	-	-	1,162,596
Total endowment funds	\$ 1,162,596	\$ 1,106,701	\$ 4,546,881	\$ 6,816,178

The changes in the endowment net assets for the years ended June 30, 2021 and 2020 are as follows:

	Without Donor Restrictions	With Donor Restrictions		Total
		Accumulated Net Investment Returns	Required to be Maintained in Perpetuity	
Endowment net assets as of July 1, 2019	\$ 1,226,181	\$ 1,627,972	\$ 4,506,501	\$ 7,360,654
Investment return:				
Investment income	15,248	133,498	-	148,746
Net depreciation (realized and unrealized)	(41,787)	(515,548)	-	(557,335)
Contributions	1,830	-	46,283	48,113
Change in donor designations	-	5,903	(5,903)	-
Expenditures	(38,876)	(145,124)	-	(184,000)
Endowment net assets as of June 30, 2020	1,162,596	1,106,701	4,546,881	6,816,178
Investment return:				
Investment income	29,003	101,441	-	130,444
Net appreciation (realized and unrealized)	107,638	627,266	-	734,904
Contributions	52,920	-	1,018,125	1,071,045
Change in donor designations	9,198	(2,029)	24,908	32,077
Expenditures	(40,872)	(103,640)	-	(144,512)
Endowment net assets as of June 30, 2021	\$ 1,320,483	\$ 1,729,739	\$ 5,589,914	\$ 8,640,136

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.

NOTES TO FINANCIAL STATEMENTS (continued)

Note 8 - Related Party Transactions

The College provides the Foundation with employees, professional services, and office supplies at no charge. The College also provides office space to the Foundation at no charge. The donated services and facilities from the College for the years ended June 30, 2021 and 2020 was \$401,036 and \$484,352, respectively, and is included as contributions and expenses in the statements of activities.

Note 9 - Concentrations and Credit Risk

Contributions

Donor amounts that exceed 10% of total receivables or contributions are considered significant.

As of June 30, 2021, an unconditional promise to give totaling \$3,500,000 was due from one donor and represented 96% of total unconditional promises to give balance. A contribution of \$500,000 was received during the year ended June 30, 2021 related to this unconditional promise to give. In addition, during fiscal year 2021 the Foundation received a non-recurring contribution without donor restrictions in the amount of \$30,000,000.

As of June 30, 2020, an unconditional promise to give totaling \$4,000,000 was due from a donor and represented 93% of total unconditional promises to give balance. Two significant contributions totaling \$1,000,000 were received during the year ended June 30, 2020.

Credit Risk

Certain financial instruments subject the Foundation to concentrations of credit risk. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in net values of investment securities will occur in the near term and that such change could materially affect the amounts recorded in the statements of financial position.

Note 10 - Federal Income Taxes

The Foundation is a non-profit corporation as described in Section 501(c)(3) of the Internal Revenue Code (the Code) and is exempt from federal income taxes pursuant to Section 501(a) of the Code. The Foundation is not classified as a private foundation.

GAAP requires the Foundation's management to evaluate tax positions taken by the Foundation and recognize a tax liability if the Foundation has taken an uncertain position that more likely than not would not be sustained upon examination by the Internal Revenue Service. Management has analyzed the tax positions taken by the Foundation and has concluded that as of June 30, 2021 and 2020, there are no uncertain positions taken or expected to be taken that would require recognition or disclosure within the financial statements. The Foundation is subject to audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress. Management believes that the Foundation is no longer subject to income tax examinations for years prior to 2016.

SAN JACINTO COMMUNITY COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS (continued)

Note 11 - Liquidity and Availability of Resources

The following represents the Foundation’s financial assets at June 30, 2021 and 2020, reduced by amounts not anticipated to be available for general expenditure within one year of the statement of financial position date. Financial assets are considered unavailable when not readily available or they are not convertible to cash within one year. Financial assets are available for general expenditure if they do not have donor or other restrictions limiting their use through purpose restrictions.

	<u>2021</u>	<u>2020</u>
Financial assets available within one year:		
Cash and cash equivalents	\$ 3,123,085	\$ 1,845,105
Pledges receivable	50,440	190,259
Investments	43,725,580	12,352,256
Total Financial assets available within one year	<u>46,899,105</u>	<u>14,387,620</u>
Amounts limited to use:		
With donor restrictions -		
Accumulated Net Investment Returns	(8,333,579)	(4,868,263)
With donor restrictions -		
Required to be Maintained in Perpetuity	(5,589,914)	(4,866,656)
Without donor restriction - Board designated quasi-endowment	<u>(1,320,483)</u>	<u>(827,178)</u>
Financial assets available to meet cash needs for general expenditures within one year	<u>\$ 31,655,129</u>	<u>\$ 3,825,523</u>

The Foundation’s goal is to maintain financial assets to meet 120 days of operating expenses (approximately \$635,000). As part of the Foundation’s liquidity management plan, cash in excess of daily requirements is invested in registered investment companies such that amounts can be made available as general expenditures and liabilities become due.

Note 12 - Commitments and Contingencies

External Factors

In March 2020, the World Health Organization declared the outbreak of a novel coronavirus (COVID-19) as a pandemic, which continues to spread throughout the United States of America. Efforts implemented by local and national governments, as well as businesses, including temporary closures, are expected to have adverse impacts on local, national, and global economies. Although the disruption is currently expected to be temporary, there is uncertainty around the duration and the related economic impact. Therefore, while we expect this matter to have an impact on the Foundation’s business, the impact of the Foundation’s results of operations and financial position cannot be reasonably estimate at this time.

Note 13 - Subsequent Events

Management has evaluated subsequent events through November 12, 2021, the date which the financial statements were available to be issued. Management has determined that no subsequent events require recognition in the financial statements.

 SAN JACINTO
COLLEGE

FOUNDATION

2008 Bond Program

Preliminary Report as of October 31, 2021

Project	Base Budget	Budget Adjustments	Current Budget	Program Management Fees	Total Budget	Encumbered Funds	Total Expenditures	Remaining Balance	Percent of Budget Encumbered/ Expensed
Central									
721919 - CC Install Backup Chiller C26	-	200,000	200,000	-	200,000	12,500	10,500	177,000	11.50%
Sub-total	-	200,000	200,000	-	200,000	12,500	10,500	177,000	11.50%
North									
Sub-total	-	-	-	-	-	-	-	-	-
South									
Sub-total	-	-	-	-	-	-	-	-	-
District									
720100 - Program Management	-	9,605,947	9,605,947	(9,605,947)	-	-	-	-	-
726800 - Contingency	14,626,260	(14,613,260)	13,000	-	13,000	-	-	13,000	-
726907 - Wayfinding Signage	50,000	939,076	989,076	10,924	1,000,000	10,422	676,245	313,333	68.67%
726923 - Replace HVAC, A1	-	573,521	573,521	-	573,521	9,375	28,125	536,021	6.54%
726925 - CW Classroom Technology	-	282,137	282,137	-	282,137	210,664	57,537	13,936	95.06%
Sub-total	14,676,260	(3,212,579)	11,463,681	(9,595,023)	1,868,658	230,461	761,907	876,290	53.11%
2008 Contingency Supplemental Projects									
Sub-total	-	-	-	-	-	-	-	-	-
Supplemental Projects closed									
Sub-total	-	4,504,567	4,504,567	-	4,504,567	-	4,504,567	-	100.00%
Projects closed									
Sub-total	280,323,740	(1,491,988)	278,831,752	9,595,023	288,426,775	-	288,426,775	-	100.00%
TOTALS	295,000,000	-	295,000,000	-	295,000,000	242,961	293,703,749	1,053,290	99.64%

2015 Bond Program

Preliminary Report as of October 31, 2021

Project	Base Budget	Budget Adjustments	Current Budget	Program Management Fees	Total Budget	Encumbered Funds	Total Expenditures	Remaining Balance	Percent of Budget Encumbered/ Expensed
Central									
731601 - CC Petrochemical Center	52,450,000	(3,305,415)	49,144,585	2,154,564	51,299,150	5,148	51,182,975	111,027	99.78%
71601A - CC Petrochem Process Plant	-	6,349,986	6,349,986	278,392	6,628,377	-	6,628,377	-	100.00%
71601B - CC Petrochem Extended Site Development	-	6,680,912	6,680,912	306,052	6,986,964	215,880	6,447,394	323,690	95.37%
731602 - CC Welcome Center	16,600,000	1,291,795	17,891,795	578,549	18,470,345	-	18,470,345	-	100.00%
71602A - CC Welcome Center Site Development	-	2,656,100	2,656,100	93,900	2,750,000	889,209	585,776	1,275,015	53.64%
731603 - CC Class Room Building	47,155,000	7,195,219	54,350,219	1,788,440	56,138,659	13,615,238	35,867,944	6,655,477	88.14%
731604 - CC Central Data Closets	2,444,000	(1,294,164)	1,149,836	37,896	1,187,732	-	1,187,732	-	100.00%
731605 - CC Central Access Security	1,852,000	(404,840)	1,447,160	53,222	1,500,382	35,751	1,225,613	239,018	84.07%
731606 - CC Frels Renovation	1,153,000	2,829,107	3,982,107	130,929	4,113,036	2,887	4,039,167	70,982	98.27%
731607 - CC Davison Building Renovation	14,970,000	(4,787,356)	10,182,644	329,015	10,511,659	106,850	10,336,916	67,893	99.35%
731608 - CC McCollum Center Reno Phase I	24,685,000	(13,253,702)	11,431,298	369,361	11,800,659	414,175	11,330,694	55,790	99.53%
71608A - CC McCollum Center Reno Phase II	-	8,483,421	8,483,421	338,733	8,822,154	2,873,276	5,056,493	892,385	89.88%
731609 - CC McCollum North Renovation	2,535,000	(598,971)	1,936,029	62,556	1,998,585	-	132,013	1,866,571	6.61%
731610 - CC Ball Demolition	1,725,000	(127,112)	1,597,888	51,669	1,649,557	-	1,649,557	-	100.00%
731611 - CC Anderson Demolition	2,654,000	(301,222)	2,352,778	76,021	2,428,800	-	2,428,800	-	100.00%
731612 - CC Stadium and Track Demolition	174,000	(109,420)	64,580	2,087	66,667	-	66,667	-	100.00%
731613 - CC Central DDC Network	1,160,000	356,234	1,516,234	48,992	1,565,225	349,859	1,193,335	22,031	98.59%
731614 - CC Central Plant Upgrades	1,160,000	64,094	1,224,094	39,576	1,263,670	-	1,263,670	-	100.00%
Sub-total	170,717,000	11,724,665	182,441,665	6,739,955	189,181,620	18,508,273	159,093,468	11,579,879	93.88%
North									
732601 - NC Cosmetology & Culinary Center	22,845,000	(116,422)	22,728,578	736,359	23,464,937	-	23,464,937	-	100.00%
732602 - NC North Data Closets	915,000	(263,487)	651,513	21,051	672,564	-	672,564	-	100.00%
732604 - NC Lehr Library Demolition	650,000	(434,125)	215,875	6,979	222,854	-	222,854	-	100.00%
732605 - NC North Access/Security	877,000	(160,040)	716,960	25,266	742,226	4,988	540,628	196,610	73.51%
732606 - NC Wheeler Renovation	14,300,000	(2,634,938)	11,665,062	386,607	12,051,669	2,194,860	9,481,096	375,713	96.88%
732607 - NC Brightwell Renovation	6,628,000	1,176,926	7,804,926	252,188	8,057,114	1,662,062	6,357,143	37,909	99.53%
732608 - NC Spencer Renovation	13,000,000	(2,130,019)	10,869,981	351,392	11,221,373	2,039,283	9,156,781	25,309	99.77%
732609 - NC North DDC Network	580,000	178,117	758,117	24,496	782,613	128,252	630,387	23,974	96.94%
732610 - NC Underground Utility Tunnel	11,600,000	(7,710,815)	3,889,185	127,254	4,016,439	-	4,016,439	-	100.00%
732611 - NC 24 Acres Wetlands Mitigation	2,000,000	(2,000,000)	-	-	-	-	-	-	-
732612 - NC Uvalde Expansion	5,000,000	(5,000,000)	-	-	-	-	-	-	-
732613 - NC Burleson Renovation	-	3,480,389	3,480,389	114,623	3,595,012	204,751	3,390,261	-	100.00%
Sub-total	78,395,000	(15,614,415)	62,780,585	2,046,215	64,826,800	6,234,195	57,933,090	659,515	98.98%

2015 Bond Program

Preliminary Report as of October 31, 2021

Project	Base Budget	Budget Adjustments	Current Budget	Program Management Fees	Total Budget	Encumbered Funds	Total Expenditures	Remaining Balance	Percent of Budget Encumbered/ Expensed
South									
733601 - SC Engineering & Technology Center	28,400,000	(7,049,180)	21,350,820	691,395	22,042,216	4,161	22,038,055	-	100.00%
733602 - SC Cosmetology Center	16,213,000	(1,400,208)	14,812,792	478,621	15,291,413	-	15,220,624	70,790	99.54%
733603 - SC Longenecker Renovation	22,555,000	(2,602,251)	19,952,749	651,162	20,603,911	222,353	20,223,180	158,378	99.23%
733604 - SC South Data Closets	765,000	(157,054)	607,946	19,704	627,649	-	627,649	-	100.00%
733605 - SC South Primary Electrical Upgrade	5,800,000	966,625	6,766,625	218,639	6,985,264	94,496	2,854,924	4,035,843	42.22%
733606 - SC South Access/ Security	599,000	128,994	727,994	24,330	752,324	6,631	721,018	24,675	96.72%
733607 - SC South HW/CW Relocation	10,266,000	(6,914,146)	3,351,854	108,303	3,460,157	-	3,460,157	-	100.00%
733608 - SC Domestic Water System Rehabilitation	1,160,000	823,696	1,983,696	64,096	2,047,792	44,221	1,017,555	986,017	51.85%
733609 - SC Fire House Expansion	5,585,000	(5,585,000)	-	-	-	-	-	-	-
733610 - SC Jones Renovation	13,803,000	4,348,178	18,151,178	605,876	18,757,053	5,809,133	10,759,333	2,188,587	88.33%
73610A - SC Jones Central Plant Relocation	-	10,573,572	10,573,572	341,646	10,915,218	656,193	8,276,599	1,982,426	81.84%
733611 - SC Bruce Student Center Renovation	10,400,000	(8,269,097)	2,130,903	70,275	2,201,177	147,953	2,053,224	-	100.00%
733612 - SC HVAC Tech	312,000	2,259,762	2,571,762	85,231	2,656,993	-	2,656,993	-	100.00%
733613 - SC South DDC Network	580,000	178,117	758,117	24,496	782,613	124,678	654,173	3,761	99.52%
733614 - SC Academic Building Renovation (S-7&S-9)	-	5,424,474	5,424,474	175,280	5,599,754	9,338	5,590,416	-	100.00%
Sub-total	116,438,000	(7,273,519)	109,164,481	3,559,054	112,723,535	7,119,158	96,153,900	9,450,477	91.62%
Maritime									
736603 - MC Maritime Expansion	28,000,000	(27,031,300)	968,700	31,300	1,000,000	202,609	395,698	401,693	59.83%
76603A - MC Maritime Fire Program Relocation	-	1,916,000	1,916,000	84,000	2,000,000	-	1,788,345	211,655	89.42%
Sub-total	28,000,000	(25,115,300)	2,884,700	115,300	3,000,000	202,609	2,184,042	613,349	79.56%
Generation Park									
726601 - Generation Park	-	4,554,666	4,554,666	813,800	5,368,466	305	3,893,327	1,474,834	72.53%
Sub-total	-	4,554,666	4,554,666	813,800	5,368,466	305	3,893,327	1,474,834	72.53%
Admin									
736602 - College Development	30,000,000	(29,927,750)	72,250	-	72,250	-	71,368	882	98.78%
736604 - Dist Construction Studies	283,820	35,776	319,596	-	319,596	-	319,596	-	100.00%
76605A - CW Deferred Maintenance	-	13,227,072	13,227,072	427,384	13,654,456	3,793,650	898,376	8,962,430	34.36%
736606 - Parking Garage	-	20,000,000	20,000,000	-	20,000,000	-	-	20,000,000	-
720100 - Program Management - AECOM	-	11,610,481	11,610,481	(10,878,699)	731,782	693,166	5,863	32,753	95.52%
720100 - Program Management - Other	-	2,823,009	2,823,009	(2,823,009)	-	-	-	-	-
736601 - Contingency	1,166,180	13,955,316	15,121,496	-	15,121,496	-	-	15,121,496	-
Sub-total	31,450,000	31,723,903	63,173,903	(13,274,324)	49,899,579	4,486,816	1,295,203	44,117,560	11.59%
TOTALS	425,000,000	-	425,000,000	-	425,000,000	36,551,356	320,553,030	67,895,614	84.02%

Generation Park

Preliminary as of October 31, 2021

Project	Base Budget	Budget Adjustments	Current Budget	Program Management Fees	Total Budget	Encumbered Funds	Total Expenditures	Remaining Balance	Percent of Budget Encumbered/ Expensed
Generation Park - 726601									
904605 - 2015 Revenue Bond - 726601	6,787,977	-	6,787,977	-	6,787,977	-	6,787,977	-	100.00%
929603 - Operational - 726601	8,843,556	-	8,843,556	-	8,843,556	-	8,824,538	19,018	99.78%
901609 - 2015 Bond - 726601	6,368,466	(1,000,000)	5,368,466	-	5,368,466	305	3,893,327	1,474,834	72.53%
901610 - Generation Park Site Infrastructure - 726601	4,000,000	-	4,000,000	-	4,000,000	-	3,991,275	8,725	99.78%
901610 - Generation Park Parking Lot - 76601A	3,521,892	-	3,521,892	-	3,521,892	1,657,963	981,064	882,866	74.93%
TOTALS	29,521,892	(1,000,000)	28,521,892	-	28,521,892	1,658,268	24,478,181	2,385,443	91.64%

Repair and Renovation

Report as of October 31, 2021

Project	Base Budget	Budget Adjustments	Current Budget	Program Management Fees	Total Budget	Encumbered Funds	Total Expenditures	Remaining Balance	Percent of Budget Encumbered/ Expensed
Central									
F22001 - CC - Central Misc.	-	10,000	10,000	-	10,000	-	-	10,000	-
F22005 - CC - C45 Dow Classroom Tables	-	5,914	5,914	-	5,914	5,914	-	-	100%
F22009 - CC - C34 Flag Pole Remove and Reloc	-	5,436	5,436	-	5,436	5,436	-	-	100%
F22010 - CC - CPET Lab Upgrade	-	16,841	16,841	-	16,841	16,841	-	-	100%
F22016 - CC - C26 Air Compressor	-	21,835	21,835	-	21,835	21,835	-	-	100%
F22017 - CC Cafa Furniture Reupholstering	-	14,413	14,413	-	14,413	14,413	-	-	100%
Sub-total	-	74,438	74,438	-	74,438	64,438	-	10,000	87%
North									
F22002 - NC - North Misc	-	10,000	10,000	-	10,000	4,261	-	5,739	43%
Sub-total	-	10,000	10,000	-	10,000	4,261	-	5,739	43%
South									
F22003 - SC - South Misc.	-	10,000	10,000	-	10,000	-	-	10,000	-
F22013 - SC - S7.118/143 Tier 1 Upgrade	-	30,303	30,303	-	30,303	-	-	30,303	-
F22018 - SC Cafa Furniture Reupholstering	-	6,107	6,107	-	6,107	6,107	-	-	100%
Sub-total	-	46,410	46,410	-	46,410	6,107	-	40,303	13%
Generation Park									
F22008 - GEN - Gen Park Furniture	-	6,216	6,216	-	6,216	6,216	-	-	100%
Sub-total	-	6,216	6,216	-	6,216	6,216	-	-	100%
District									
F22004 - DIST - Campus Misc.	-	10,000	10,000	-	10,000	3,501	-	6,499	35%
F22007 - DIST- College Wide ADA Compliance	-	150,000	150,000	-	150,000	-	-	150,000	-
Sub-total	-	160,000	160,000	-	160,000	3,501	-	156,499	2%
Contingency (720700) -Major Repairs	350,000	(297,064)	52,936	-	52,936	-	-	52,936	-
Sub-total	350,000	(297,064)	52,936	-	52,936	-	-	52,936	-
TOTALS	350,000	-	350,000	-	350,000	84,523	-	265,477	24%

**BOARD BUILDING COMMITTEE
SAN JACINTO COMMUNITY COLLEGE DISTRICT
November 30, 2021**

Members Present: John Moon, Jr. and Dan Mims

Members Absent: Marie Flickinger and Erica Davis Rouse

Other Trustees Present: None

Others Present: Brenda Hellyer, Carin Hutchinson, Bryan Jones, Deborah Paulson, Charles Smith, and Teri Zamora

- I. Dan Mims, called the meeting to order at 4:00 p.m.
- II. Roll call of the Committee members was taken by John Moon, Jr.:
 - Marie Flickinger (Ex-officio member), absent
 - John Moon, Jr., present
 - Erica Davis Rouse, absent
 - Dan Mims, present
- III. Approval of Minutes from the August 31, 2021, Building Committee Meeting
 - D. Mims presented the minutes from the August 31, 2021, Building Committee Meeting.
 - A motion was made by J. Moon and seconded by D. Mims to accept the minutes as presented.
- IV. Recommended Projects and Delivery Methods which will provide the best value to the College (Discussion led by Bryan Jones)
 - Bond Funds
 - Consideration of Approval to Contract for Backup Chiller for Transportation Center
 - This item requests approval to contract with Gowan, Inc. for transportation and installation of a backup chiller for Central Campus Transportation Center, which is being repurposed from South Campus.
 - The estimated expenditure for this project is \$204,000 including contingencies and will be funded from the 2015 Bond Program.
 - This item was presented without further discussion or questions from the Building Committee.
 - Consideration of Approval to Contract for District Administration HVAC Upgrades
 - This item requests approval to contract with The Brandt Companies, LLC (Brandt) for HVAC upgrades at the District Administration Building (A1).
 - Completion of this project will re-configure HVAC ducting throughout Building A-1, provide new variable air volume control devices with zoned temperature controls, and connect the building to the Building Automation System.

- The estimated total expenditure for this project is \$719,207 including contingency funds and will be funded from the 2008 Bond Program.
 - D. Mims inquired about the price difference between the top two bidding vendors and as to how the scoring was broken down.
 - C. Smith explained the Competitive Sealed Process (CSP) for vendor solicitation and noted the vendor selected had a better proposal package and thus scored higher.
 - B. Hellyer inquired as to how much price weighed into the scoring process.
 - C. Smith noted thirty percent.
 - T. Zamora reported that additional information from the CSP will be submitted to the Building Committee for further review.
- The members requested additional information be provided on the recommendation.
- Consideration of Approval to Contract for Renovation of Building N-19
 - This item requests approval to contract with Jamail & Smith Construction LP for the renovation of building N-19.
 - Award of this contract will allow the conversion of Building N-19 to be used as a general services facility, supporting facilities services, auxiliary services, and local campus storage needs.
 - The estimated expenditure for this project will not exceed \$1,790,000 including contingency funds and will be funded from the 2015 Bond Program.
 - This item was presented without further discussion or questions from the Building Committee.
- Consideration of Approval to Contract for Architectural Services for Generation Park Campus
 - This item requests approval for additional funds for architectural services from Page Southerland Page, Inc. (Page) for the continued development of the Generation Park Campus via development of a roadway concept and cost estimate.
 - In October 2021, the Board approved a total of \$330,000 for architectural services including reimbursables. This request will increase the total contract value by \$78,000 for a total of \$408,000. This expenditure will be funded from the 2015 Bond Program budget previously approved for the development of the Generation Park Campus.
 - This item was presented without further discussion or questions from the Building Committee.
- Consideration of Approval to Contract for Solar Photovoltaic Systems (Solar PV) for Buildings S-7 and S-9
 - This item requests approval of the design and construction of a solar photovoltaic electricity generation system from Sunfinity Renewable Energy, LLC to be constructed on the S-7 and S-9 buildings on South Campus following the re-roofing of each building.
 - Approval of this request will enable the supplier to assist the architect with plans to modify Buildings S-7 and S-9 to accommodate solar PV and to begin

the design and sourcing of the actual solar generation capacity. The systems are estimated to ultimately provide up to twenty five percent of the energy required to operate the buildings.

- The estimated expenditure for this request will not exceed \$918,000 and will be funded by LoanSTAR Loan Contract CL-380.
- This item was presented without further discussion or questions from the Building Committee.

- Operating Funds
 - None.

V. Project Updates

- Bond Funds (Discussion led by Charles Smith)
 - Safety Metrics
 - There were zero safety events noted this month and three minor property incidents.
 1. Two of the property incidents involved buried utilities that were excessively close to the surface at Central and South Campus, respectively. The third incident was located at Central Campus in the McCollum Building in which the connection of controls to the new pumping system failed, resulting in no damage.
 - Schedule Updates
 - College projects continue to move forward with minor delays in the supply chain demand interrupted by COVID.
 - Progress Updates
 1. Central Campus – CPET Extended Site
 - Installation of lighting on the new walkway and roadway is now complete.
 2. Central Campus – Pro Shop and Dormitory
 - Demolition of the Pro Shop and Dormitory is complete with the project running well below budget.
 3. Central Campus – Anderson-Ball Classroom Building
 - Finishes are progressing throughout the building.
 - Accent walls made from marble recovered from the predecessor buildings have been installed and define the public space on the North end.
 - Installation of solar panels on the roof are underway.
 4. Central Campus – Classroom Building
 - Design for collecting condensation from the air conditioning system and sinks and pumping it to the Central Plant on Central Campus has been submitted to the City of Pasadena for a permit.
 - This project will replace roughly 80% of our purchased cooling tower make-up water and save the College more than \$80,000 per year.
 5. Central Campus – McCollum Building
 - Construction of the courtyard has begun.
 - Terrazzo floors have been installed in the lobby and new artwork is in design.
 6. Last month, work was halted on the C-26 Detention Basin and the Contractor was served with a notice of default due to excessive deflection of the new wall following Hurricane Nicholas. An agreement with the contractor has been

- reached with no cost to the College.
7. Central Campus – Anders Gym
 - Hazardous material evaluation has been completed and a significant amount of asbestos and lead will need to be abated before demolition can begin.
 8. North Campus – Student Center/Bookstore, N-12
 - Multiple underground pipe failures caused by the building shifting due to the roof drain leaks have been repaired. Perimeter piers have been installed and hydraulic jacking of the slab has been completed. The final step will be to correct cosmetic damage to allow the building to remain in service until future needs are known.
 9. North Campus – Industrial Technology N-19
 - Solicitation for the renovation of Building N-19 for use as a General Services Building is complete and the College will begin negotiations with the recommended contractor in the near future.
 10. North Campus – Mechanical Building M-1
 - Hazardous material surveys have been completed on Building M-1 in preparation for demolition.
 10. South Campus– Domestic Water
 - The contractor has been uncovering each point of connection to verify conditions and connect valves for disinfection. A permit has been submitted.
 11. South Campus – Jones Building and Jones Central Plant
 - The north entrance is nearly complete, although work is progressing slower than ideal due to a combination of supply chain issues and coordination with the central plant project. The College still projects completion by January 2022.
 - Interior renovation finishes in the Jones Building are progressing, and larger classrooms were created for active learning and larger class sizes.
 - Demolition of the Jones Central Plant occurred last month. This area will become outdoor student space.
 - The installation of hydronic lines are completed and the campus will have a true chilled water loop that can be isolated at multiple points allowing only one or two buildings to be impacted when issues arise. The College will also have the ability to run the campus from various combinations of chillers and the thermal storage tank, making the campus much more resilient.
 12. South Campus – General Services Building, S-22
 - The S22 building has been completely emptied out and minor asbestos areas have been abated.
 - The College is currently obtaining a permit for building removal.
 13. Generation Park Campus – Parking Lot
 - The parking area and remaining site clearing are projected to be completed by the end of 2021.
 - Landscaping, walkway, and additional road extension work will take place next year under a separate solicitation.
 14. College Wide – Deferred Maintenance Projects
 - Upgrade of our legacy fire systems to the new Desigo standard is

underway, and the first panel replacements have been completed. The project is anticipated to be completed by December 2021.

- Elevator upgrades are continuing.
- Request to add additional three projects.
 - Re-roofing of building C-31 (original roof from 1976 that was recoated in 2008)
 - New hydronic line to connect the main Central Plant at North Campus with the CIT Central Plant.
 - Drainage revision at South Campus
 - B. Hellyer inquired as to the length of time required for this project.
 - C. Smith replied that the survey would take less than a month and once the contractor was hired, it could take up to approximately six months from start to finish.

15. LoanSTAR Loan Agreement

- Loan agreement was returned on October 18, 2021 with one year to complete work.
- Design and procurement are underway.

16. 2008 Bond Capital Projects

- Relocation of air-cooled chillers from S-24 to C-26 to serve as back-up and part load equipment.
- Upgrade the air conditioning controls in District Administration Building A-1.

○ Financial Updates

- 2008 Bond – This report was presented with no comments.
- 2015 Bond – This report was presented with no comments.
- Generation Park – This report was presented with no comments.

● Operating Funds (Discussion led by Bryan Jones)

○ Safety Metrics

- There was one safety incident reported this month in which a courier lost footing and twisted his ankle with only minor medical care needed.

○ Schedule Updates

- The report was presented with no comments.

○ Progress Updates

- Minor Projects updates were briefly explained, and the Minor Projects Master Schedule was shared with the Committee.

○ Financial Updates

- Repair and Renovation – This report was presented with no comments.

VI. Status of Delegation of Authority

- Presented with no comments or questions; there are not items pending.

VII. Adjournment – The meeting adjourned at 4:42 p.m.

**BOARD FINANCE COMMITTEE
SAN JACINTO COMMUNITY COLLEGE DISTRICT
November 30, 2021**

Members Present: Keith Sinor, Dr. Ruede Wheeler, and Larry Wilson

Members Absent: Marie Flickinger

Other Trustees Present: None

Others Present: Brenda Hellyer, Teri Zamora, Carin Hutchins, and Rosselle Helms

- I. The meeting was called to order at 5:01 p.m. by Keith Sinor, Chair, Finance Committee.
- II. Roll Call of the Committee Members
 - Keith Sinor, present
 - Dr. Ruede Wheeler, present
 - Larry Wilson, present
 - Marie Flickinger (Ex-officio member), absent
- III. Approval of Minutes from the August 31, 2021 Finance Committee Meeting
 - K. Sinor presented the minutes from the August 31, 2021, Finance Committee Meeting.
 - i. A motion was made by L. Wilson and seconded by R. Wheeler to accept the minutes as presented.
- IV. Comments regarding 2020-2021 Annual Comprehensive Financial Report
 - T. Zamora shared that the final draft of the report will be sent electronically in later this week for review before the December 14, 2021 Board Meeting.
 - The external auditor will present findings at the December 14th Board Workshop.
 - L. Wilson suggested that the structure of the presentation focus more on any negative findings to streamline the presentation.
 - T. Zamora noted the request.
- V. Discussion of the Harris County Appraisal District (HCAD) Board of Directors Election
 - At the December 14, 2021 Board Meeting, there will be an action item to vote on the HCAD incumbent, who was the only nominee.
 - The San Jacinto Community College District (SJCCD) shares one vote collectively as one of four colleges within the appraisal district.
 - K. Sinor asked who can nominate an HCAD Board member.
 - T. Zamora states that any community college or ISD Board can nominate someone.
 - B. Hellyer added that a lot of times it is the school district boards.
 - K. Sinor asked what the HCAD Board does.

- T. Zamora responded that it is similar to the roles of the SJCCD Board but in a different setting.

VI. Review and Discuss upcoming Debt Issuance, Refinancing and Defeasance

- T. Zamora recapped the timeline of events.
 - At the November 1st Board Meeting, the team was approved.
 - At the December 14th Board meeting, the Board will be asked to approve the transactions.
- T. Zamora shared three key components of the January 2022 transaction for limited tax general obligation bonds (GOB) and refunding bonds, series 2022.
 - There will be an issuance of \$40 million in new money GOB to fund voter-approved projects.
 - There is refunding (refinancing) of \$7.95 million of existing GOB for debt service savings.
 - There will be a \$2.9 million defeasance (prepayment) of bonds due in 2023.
- T. Zamora shared related details.
 - Voters previously approved \$425 million in general obligation debt.
 - We have issued \$385 million and will issue the remaining \$40 million in February 2022.
 - This final portion of authorized bonds are expected to be spent on ongoing construction projects, deferred maintenance projects under development, and Generation Park opportunities.
 - Refunding of approximately \$7.975 million in 2012 GOBs have a call date of February 15, 2022 and a final maturity date of February 15, 2033.
 - Refunding will generate debt service savings of \$1.4 million (17.89 percent) in anticipated net present value of savings over the life of refunding bonds.
 - The defeasance reduces debt service by \$2.9 million for FY 2023, which assists in managing the tax rate
 - This action aligns with our Policy III.3001.B, Finance Standards and maintains the College's Day Cash on Hand from four to six months of the annual current unrestricted and auxiliary funds budget.

VII. Review San Jacinto Community College District Foundation Annual Audit Report

- This audit is now included in the SJCCD Annual Comprehensive Financial Report as a component unit.
 - Net assets at the end of the 2021 year without donor restrictions totals \$35,193,863.
 - Net assets at the end of the 2021 year with donor restrictions totals \$14,933,493.
 - R. Wheeler asked if there were more plans for the \$30 million donation
 - B. Hellyer replied that the intention is to expand the Promise Program and to raise another \$10 million to keep the program going.
 - R. Wheeler asked what the response has been this year.
 - B. Hellyer responded that communications with the Independent School Districts (ISDs) and roll out for the Promise Program has begun. It will kick off in January 2022. For the 21 Forward Program, there have been approximately 2,600 students participating this fall.

November 30, 2021 Board Finance Committee Meeting Minutes – Final after Committee approval at next meeting

- T. Zamora shared that a 30 percent projected capture rate is expected for the Promise Program.
- B. Hellyer explained that the audit was accepted and approved by the Foundation Board on November 18, 2021.

VIII. The meeting adjourned at 5:26 p.m.

Action Item “IX”
Regular Board Meeting December 14, 2021
Consideration of Approval of Amendment to the 2021-2022 Budget
for Restricted Revenue and Expenses Relating to Federal and State Grants

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve an amendment to the 2021-2022 budget for restricted revenue and expenses related to grants.

BACKGROUND

Federal, state, and local grants may require amendments for receipt of newly awarded grants or changes to existing grants. These amendments should be processed in a timely manner to provide access to funding to meet the objectives set forth within the grant requirements. This budget amendment request includes additions to restricted revenues and restricted expenses as a result of new awards and changes to existing grants received during the month of November 2021.

IMPACT OF THIS ACTION

Approval of the budget amendment will allow the College’s staff to implement the programs in accordance with the requirements of funded award amounts.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

Restricted revenues and restricted expenses will each be increased by \$681,012 so the net impact on the College budget is zero.

MONITORING AND REPORTING TIMELINE

The Office of Grants Management provides continuous monitoring of grant operations, which are included in the annual financial report to the Board of Trustees.

ATTACHMENTS

Attachment 1- Budget Amendments-12-14-21

Attachment 2- Grant Detail-12-14-21

RESOURCE PERSONNEL

Teri Zamora

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Tomoko Olson

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SAN JACINTO COLLEGE DISTRICT
Federal, State, and Local Grant Amendments
December 14, 2021

	Fund	Org.	Account	Prog.	Amount Debit (Credit)
<u>U.S. Department of Education/Texas Higher Education Coordinating Board - Governor's Emergency</u>					
<u>Education Relief (GEER) Fund - Texas Reskilling and Upskilling through Education (TRUE)</u>					
<u>Institutional Capacity Grant Program (Consortium Project) (New Grant)</u>					
Federal Grant Revenue	538467	56700	554100	110000	(533,712)
Non-Instructional Labor	538467	56700	610000	460961	4,300
Stipends	538467	56700	614300	460961	4,680
Fringe Benefits	538467	56700	650000	460961	2,570
Supplies	538467	56700	711000	460961	37,600
Contractual Svcs	538467	56700	731000	460961	25,000
Equipment	538467	56700	741000	460961	338,800
Student Aid - Scholarships	538467	56700	741000	460961	<u>120,762</u>
					\$ -
<u>U.S. Department of Education/Texas Higher Education Coordinating Board - Governor's Emergency</u>					
<u>Education Relief (GEER) Fund - Texas Reskilling and Upskilling through Education (TRUE)</u>					
<u>Institutional Capacity Grant Program (Planning Project) (New Grant)</u>					
Federal Grant Revenue	538466	56700	554100	110000	(47,300)
Non-Instructional Labor	538466	56700	610000	460961	5,456
Stipends	538466	56700	614300	460961	4,525
Fringe Benefits	538466	56700	650000	460961	3,219
Supplies	538466	56700	711000	460961	28,000
Equipment	538466	56700	741000	460961	<u>6,100</u>
					-
<u>Aspen Institute - 2021 Aspen Prize for Community College Excellence</u>					
Local Grant Revenue	280150	56414	554300	110000	(100,000)
Supplies	280150	56414	711000	620945	<u>100,000</u>
					-
Net Increase (Decrease)					<u>\$ -</u>

Note: Credits to revenues are increases and credits to expenses are decreases.
Conversely, debits to revenue are decreases and debits to expenses are increases.

Grant Funding Summary by Agency:

U.S. Department of Education	\$ 581,012
Aspen Institute	<u>100,000</u>
	\$ 681,012

U.S. Department of Education/Texas Higher Education Coordinating Board - Governor's Emergency Education Relief (GEER) Fund - Texas Reskilling and Upskilling through Education (TRUE) Institutional Capacity Grant Program (Consortium Project) (New Grant)

This program creates clear pathways in the transportation arena by focusing on the Forklift to Manufacturing Skills Certifications for Certified Logistics Associate and Technician, and the Truck Driving/CDL certification transition to an associate degree in Diesel Technology. The College will also enhance drone courses that can be articulated to a drone credit program at Texas Southmost College and build capacity for engaging more students in these programs by providing more classroom resources in order to expand. Additionally, the program will provide tuition for students in the maritime program to earn a Merchant Mariner Credential. All programs will be enhanced with the opportunity to be linked to credit programs.

U.S. Department of Education/Texas Higher Education Coordinating Board - Governor's Emergency Education Relief (GEER) Fund - Texas Reskilling and Upskilling through Education (TRUE) Institutional Capacity Grant Program (Planning Project) (New Grant)

This project will enhance the Credit for Prior Learning Program (CPL) from non-credit to credit programs in various computer areas such as cybersecurity, digital literacy, and data analytics. Plus, it will develop an articulation between the College and the University of Houston Clear Lake (UHCL) in these same areas and will also include a faculty sharing component. The program will also explore the development of a National Center of Academic Excellence in Cyber Defense 2-Year Education (CAE2Y) Center. The intended results are programs of courses that are delivered digitally, face-to-face and/or hybrid that are stackable and transferable.

Aspen Institute - 2021 Aspen Prize for Community College Excellence

This award was in recognition for being named a 2021 Aspen Prize for Community College Excellence Finalist with Distinction. As a finalist for the Aspen Prize, data was collected on completion, workforce outcomes, early momentum indicators, and learning assessments. Additionally, explanations of how institutions have achieved, and improved outcomes provided in applications and interviews with leaders at colleges were conducted.

Action Item “X”
Regular Board Meeting December 14, 2021
Consideration of a Resolution for Casting a Ballot for the Election
of a Person to the Board of Directors of the Harris County Appraisal District

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve a resolution casting a ballot for the election of Martina Lemond Dixon as a member of the Harris County Appraisal District (HCAD) Board of Trustees, representing school districts, other than Houston Independent School District, and the junior college districts.

BACKGROUND

Senate Bill 359 (SB 359), passed by the 83rd Texas Legislature became effective on June 14, 2013, and provided for participation by community college districts located in Harris County, in the selection of an appraisal district director.

There are four community college districts in Harris County: San Jacinto, Houston, Lone Star, and Lee. These four entities collectively have one vote in the election for the HCAD Board representative. The one vote is determined by a canvassing of votes for the four community colleges by the Chief Appraiser. The vote to be cast is for the person who receives the most votes from the four entities. If the four votes result in a tie, the winner will be determined by the Chief Appraiser by a random drawing. The deadline for the governing body of entities to file a copy of the resolution that appoints a representative to the HCAD Board is December 15, 2021.

One nomination for Martina Lemond Dixon was received for the HCAD Board representing school districts, other than Houston Independent School District, and the community college districts. Ms. Dixon is the incumbent in this role and currently the Assistant Secretary. She has served on the Humble ISD Board of Trustees since 2017, was re-elected in June 2021 for an additional four-year term and has extensive career experience in public education in the local geographic area. Based on her knowledge and experience with governance, public education and business operations, the administration recommends the San Jacinto Community College District Board of Trustees cast a ballot for Martina Lemond Dixon. This recommendation and rationale are consistent with the attached Board resolution.

IMPACT OF THIS ACTION

Adoption of the proposed Resolution will cast the College’s ballot for Martina Lemond Dixon as a member of the HCAD Board of Trustees for the two-year term ending December 31, 2023.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

No budget implication.

**Action Item “X”
Regular Board Meeting December 14, 2021
Consideration of a Resolution for Casting a Ballot for the Election
of a Person to the Board of Directors of the Harris County Appraisal District**

MONITORING AND REPORTING TIMELINE

The Resolution will be filed immediately following approval.

ATTACHMENTS

Attachment 1 – A Resolution of the Board of Trustees of the San Jacinto Community College District casting its ballot for the election of a person to the Board of Directors of the Harris County Appraisal District

Attachment 2 – Certification of Ballot for Board of Directors Harris County Appraisal District

Attachment 3 – October 26, 2021, Letter from Chief Appraiser Roland Altinger

RESOURCE PERSONNEL

Brenda Hellyer	281-998-6100	Brenda.Hellyer@sjcd.edu
Teri Zamora	281-998-6306	Teri.Zamora@sjcd.edu
Carin Hutchins	281-998-6109	Carin.Hutchins@sjcd.edu

Attachment 1

RESOLUTION

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
SAN JACINTO COMMUNITY COLLEGE DISTRICT
CASTING ITS BALLOT FOR THE ELECTION OF A PERSON
TO THE BOARD OF DIRECTORS OF THE
HARRIS COUNTY APPRAISAL DISTRICT

WHEREAS, the chief appraiser of the Harris County Appraisal District, has delivered to the presiding officer of the board of trustees of this junior college district the names of those persons duly nominated as candidates to serve in that position on the board of directors of the Harris County Appraisal District, representing and to be filled by the junior college districts participating in said appraisal district; and

WHEREAS, this junior college district deems it appropriate and in the public interest to cast its vote for the candidate of its choice to fill such position; now, therefore

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF SAN JACINTO COMMUNITY COLLEGE DISTRICT:

Section 1. That the facts and recitations set forth in the preamble of this resolution be, and they are hereby, adopted, ratified, and confirmed.

Section 2. That San Jacinto Community College District does hereby cast its vote for Martina Lemond Dixon, to fill the position on the board of directors of the Harris County Appraisal District, representing and to be filled by the junior college districts participating in the appraisal district.

Section 3. That the presiding officer be, and he or she is hereby, authorized and directed to deliver or cause to be delivered an executed or certified copy of this resolution to the chief appraiser of the Harris County Appraisal District no later than December 15, 2021.

PASSED AND APPROVED this 14th day of December 2021.

Chair, Board of Trustees

ATTEST:

Secretary, Board of Trustees

Attachment 2

(For Use by Junior College Districts)

CERTIFICATION OF BALLOT
FOR BOARD OF DIRECTORS
HARRIS COUNTY APPRAISAL DISTRICT

I, _____, certify that on the 14th day of
December 2021, the Board of Trustees of San Jacinto Community College District did by
resolution cast its ballot for the following nominee to serve as a member of the Board of
Directors of the Harris County Appraisal District.

(Place an "X" in the square next to the candidate of your choice.)

Martina Lemond Dixon []

I further certify that a true and correct copy of the resolution casting such ballot is attached
hereto.

WITNESS MY HAND this 14th day of December 2021.

Chair, Board of Trustees

ATTEST:

Secretary, Board of Trustees



**Harris County Appraisal District
Interoffice Memorandum**

OFFICE OF THE CHIEF APPRAISER

TO: Presiding Officers of Taxing Units
Served by the Harris County Appraisal District

FROM: Roland Altinger, Chief Appraiser

SUBJECT: Election of Board of Directors of the
Harris County Appraisal District

DATE: October 26, 2021

The nomination period for board candidates representing the small cities, school districts, junior college districts and conservation and reclamation districts closed October 15, 2021. The names of all candidates officially nominated to me on or before that date are reflected on the enclosed "Certification of Ballot" forms.

Candidates for contested positions are listed alphabetically on the ballots in the manner required by the Texas Tax Code.

Mike Sullivan was the only person nominated for the board position representing cities other than the City of Houston.

Martina Lemond Dixon was the only nominee for the position representing school districts other than Houston Independent School District and the junior college districts.

Charles Brandman, Erin Corken, Jonathan Cowen, Sandra Jaramillo, Shantai Magee, Wayne Mentz, and Patricia Morlen are nominees for the position representing the conservation and reclamation districts.

To assist you in the election procedure, I have enclosed a Certification of Ballot and a suggested form of resolution for casting your vote for the candidate representing your type of taxing unit. *Ballot forms for all four types of units are enclosed to make you aware of all nominees, even though only taxing units of a particular type may vote in the election applicable to that type of unit.* The governing body of each taxing unit is entitled to one vote for the candidate of its choice from the names appearing on the appropriate Certification of Ballot. Please note, the junior college districts vote collectively. Each board of trustees for the respective junior college districts may file a vote by resolution with the chief appraiser, however, the collective vote of the junior college

districts will thereafter be cast for the candidate who receives the most votes from among the junior college districts.

Each governing body must cast its vote for one of the nominees, formally adopt a resolution naming the person for whom it votes, and submit a certified copy to the chief appraiser. *The vote must be by resolution.* The resolution, or a certified copy thereof, together with the completed Certification of Ballot, must be delivered to Roland Altinger, Chief Appraiser, 13013 Northwest Freeway, Houston, Texas 77040, or mailed to P. O. Box 920975, Houston, Texas 77292-0975 *to arrive before 5:00 p.m. on December 15, 2021.* The outside of the envelope should be marked "Ballot for Board of Directors." Ballots that arrive after that day and time will not be counted. *Resolutions and Certification of Ballot may be submitted via e-mail to cguerra@hcad.org. However, if they are submitted via e-mail, the original must also be mailed to the address shown above via regular first-class mail.*

Prior to December 20, 2021, the chief appraiser will count the votes, declare the results, and notify the winners, the nominees, and the presiding officers of each taxing unit. A tie vote will be resolved by a method of chance chosen by the chief appraiser.

These procedures do not apply to Harris County, the City of Houston, or the Houston Independent School District. Those units will select their board member by adopting a resolution appointing such member by December 15, 2021, and delivering an original or certified copy to the Office of the Chief Appraiser.

If you have questions about the board selection process, please call me at 713/957-5299.

Sincerely,



Roland Altinger, RPA
Chief Appraiser

Attachments

**c: HCAD Board Members
 Tax Assessors
 Attorneys**

Action Item “XI”
Regular Board Meeting December 14, 2021

Consideration of Acceptance of the 2020-2021 Annual Comprehensive Financial Report

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve acceptance of the annual comprehensive financial report and the independent auditor’s reports for the fiscal year ended August 31, 2021.

BACKGROUND

The annual comprehensive financial report (ACFR) for the fiscal year ended August 31, 2021, and the independent auditor’s reports thereon are presented for Board review and acceptance. The independent auditing firm of Whitley Penn LLP has issued an unmodified or “clean” opinion on the College’s financial statements and federal and state assistance programs.

The College is required to meet the reporting quality standards of the Texas Higher Education Coordinating Board as presented in its annual financial report reporting requirements manual. For the ACFR for fiscal year ended August 31, 2021, the College has elected to meet the higher quality standards of the Government Finance Officers Association (GFOA) with a goal to qualify the report for the GFOA Certificate of Achievement for Excellence in Financial Reporting. The GFOA certificate is only awarded to government units and public employee retirement systems whose annual comprehensive financial reports achieve the highest standards in government accounting and financial reporting.

IMPACT OF THIS ACTION

Acceptance by the Board of Trustees satisfies requirements of the State of Texas, the Texas Higher Education Coordinating Board, and the U.S. Government. According to the requirements, the College must have its accounting records audited annually by a firm of independent certified public accountants and the related audit opinion must be accepted by the Board of Trustees. Acceptance by the Board of Trustees will allow the College to meet reporting and filing timelines.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

No budget impact.

MONITORING AND REPORTING TIMELINE

None

ATTACHMENTS

Draft of the San Jacinto College 2020-2021 Annual Comprehensive Financial Report is provided under separate cover.

Action Item “XI”
Regular Board Meeting December 14, 2021

Consideration of Acceptance of the 2020-2021 Annual Comprehensive Financial Report

RESOURCE PERSONNEL

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Action Item “XII”
Regular Board Meeting December 14, 2021
Consideration of Approval of Naming Buildings at the South Campus

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve the name changes of the specified buildings at South Campus as outlined below.

BACKGROUND

All naming recommendations are in accordance with the College’s existing Policy VI-S: Policy on Naming College Facilities and Academic and Support Entities and the related procedure. Previous naming commitments have been honored, and changes are in response to either a change in the function of the building or in response to the ongoing renovation, demolition, or construction projects within the ongoing Bond program.

IMPACT OF THIS ACTION

Building Number	Current Name	New Name
S-5	Central Plant	East Central Plant
S-13	S. R. “Buddy” Jones, Jr. Vocational - Technical Building	S. R. “Buddy” Jones, Jr. Classroom Building
S-23	Central Plant	West Central Plant
S-30	General Services Building*	
S-22		General Services Building*
	<i>*Indicates change of building number.</i>	

The new designations for each building allow for flexibility in the definition of the facility and align the campuses to the one college initiative. The redesignation of Building S-30 to S-22 is allowed by the pending demolition of the existing S-22 and better aligns building numbers to their respective locations on campus.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

There are no significant budget implications.

MONITORING AND REPORTING TIMELINE

None required

ATTACHMENTS

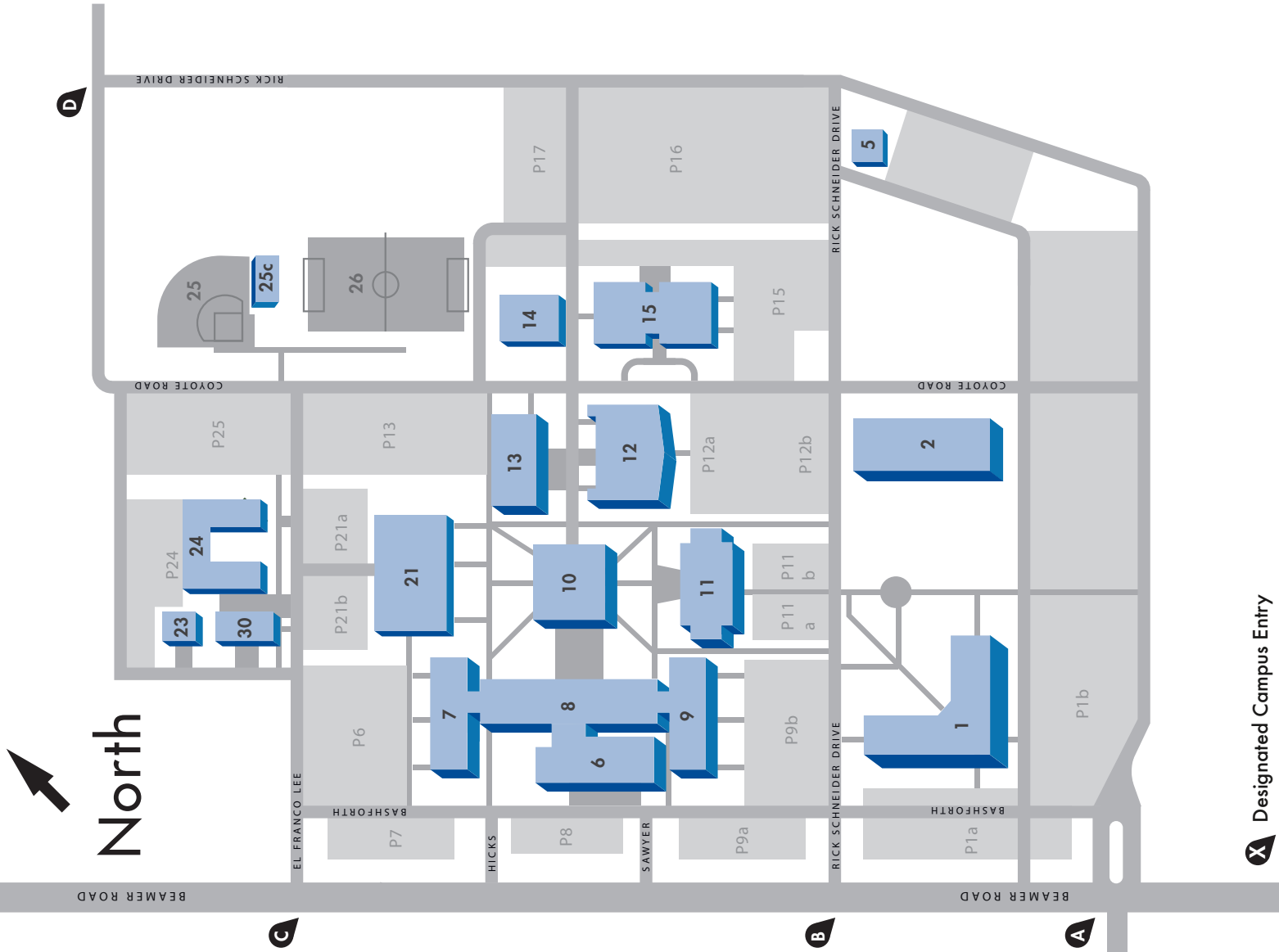
Attachment 1 – San Jacinto Community College South Campus Map

RESOURCE PERSONNEL

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SOUTH CAMPUS

- S-1 Science and Allied Health
- S-2 Engineering and Technology Center
- S-5 Central Plant
- S-6 Welcome Center
- S-7 Academic Wing-North
- S-8 Academic Hall
- S-9 Academic Wing-South
- S-10 Library
- S-11 Student Center/Bookstore/Police
- S-12 Interactive Learning Center
- S-13 Jones Building
- S-14 HVAC Technology
- S-15 Fine Arts Center
- S-21 Gymnasium
- S-23 Central Plant
- S-24 Cosmetology Center
- S-25 Softball Field
- S-25c Softball Training Facility
- S-26 Soccer Field
- S-30 General Services Building/Deliveries



13735 Beamer Rd.
Houston, Texas 77089
281-998-6150

An Equal Opportunity Institution

Updated 9/9/2021

X Designated Campus Entry

CONSIDERATION OF APPROVAL TO ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF SAN JACINTO COMMUNITY COLLEGE DISTRICT LIMITED TAX GENERAL OBLIGATION BUILDING AND/OR REFUNDING BONDS; SETTING CERTAIN PARAMETERS FOR THE BONDS; AUTHORIZING THE VICE CHANCELLOR OF FISCAL AFFAIRS TO APPROVE THE AMOUNT, THE INTEREST RATE, PRICE, INCLUDING THE TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve the parameter order authorizing the issuance of a maximum of \$40 million of Limited Tax General Obligation Building Bonds and/or a maximum of \$10 million Limited Tax General Obligation Refunding Bonds and authorizing the Vice Chancellor of Fiscal Affairs to approve the amount, interest rate, price, terms and other related provisions.

BACKGROUND

On November 3, 2015, the voters of the San Jacinto Community College District (College) passed an election authorizing the issuance of \$425 million in bonds for the purpose of the construction, renovation, acquisition, and equipment of college buildings and the purchase of the necessary sites for college buildings, in conformity with laws of the State of Texas. The proceeds of the building bonds are only to be used for the voter approved purposes and the associated expenses authorized by law relating to the issuance of the bonds.

General Obligation Bonds (GO Bonds) issued by the College are structured as serial bond issues, meaning that they are a series of “layers” of fixed rate, fixed maturity bonds. In addition, GO Bonds may have a call feature which grants the College the opportunity to pay off the outstanding bonds at the determined date which is generally 10 years from the bond issuance date. Depending upon the economic cycles and interest rate levels, institutions may be able to save money by redeeming bonds early. In practice, this is accomplished by issuing new bonds at a lower interest rate and using the proceeds to pay off the older, higher interest rate bonds.

The first three installments of GO bonds were issued in 2016, 2019, and 2021 totaling \$385 million. The final installment of \$40 million of GO bonds is proposed to be priced in January 2022 with a closing date in February 2022.

If favorable market conditions continue, the College may have an opportunity to issue refunding bonds to effectively replace bonds that were originally issued in 2012 (see Exhibit A of the attachment) and realize annual reductions to interest cost over the remaining life of the bonds.

The College may issue both types of bonds in the same issuance document and as a single bond series to achieve cost savings by combining some costs of issuances, while achieving efficiencies in a manner to allow proper segregation of authority and use of proceeds.

CONSIDERATION OF APPROVAL TO ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF SAN JACINTO COMMUNITY COLLEGE DISTRICT LIMITED TAX GENERAL OBLIGATION BUILDING AND/OR REFUNDING BONDS; SETTING CERTAIN PARAMETERS FOR THE BONDS; AUTHORIZING THE VICE CHANCELLOR OF FISCAL AFFAIRS TO APPROVE THE AMOUNT, THE INTEREST RATE, PRICE, INCLUDING THE TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO

IMPACT OF THIS ACTION

Adoption of this order authorizing a parameter sale will allow the College to choose the time to issue bonds in one or more series when it is advantageous to the College. The parameters that must be satisfied before the College will issue bonds are:

(1) For the New Buildings Bonds - the maximum issuance is \$40 million; the price shall not be less than 90% of the aggregate original principal amount of the bonds plus accrued interest; the maximum maturity date will not exceed 30 years; and

(2) For the Refunding Bonds - the maximum issuance is \$8 million, the net present value savings in debt service resulting from any refunding of the refunded bonds shall be, in the case of any current refunding, at least 3% of the principal amount of the refunded bonds as shown by a table of calculations prepared by the College's financial advisor and attached to the Officer's Pricing Certificate; the amount of the bonds must be sufficient to provide the amounts necessary to fund the costs and related issuance expenses of the refunded bonds; and

(3) For Either Bond Series - the parameter sale is authorized for one year from the date of the Order; the net effective interest rate shall not exceed the maximum rate allowed by Chapter 1204, Texas Government Code, as amended; the costs of issuance shall be paid by the bonds.

The order authorizes the Vice Chancellor of Fiscal Affairs to act on behalf of the College in the issuance of the bonds. The Building Bonds and/or the Refunding Bonds will not be issued if the applicable conditions are not met.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

Debt service on the issued bonds will be paid for by an annual interest and sinking tax levy authorized by the voters.

MONITORING AND REPORTING TIMELINE

Updates will be provided to the Board of Trustees regarding any bond issuances of the College.

CONSIDERATION OF APPROVAL TO ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF SAN JACINTO COMMUNITY COLLEGE DISTRICT LIMITED TAX GENERAL OBLIGATION BUILDING AND/OR REFUNDING BONDS; SETTING CERTAIN PARAMETERS FOR THE BONDS; AUTHORIZING THE VICE CHANCELLOR OF FISCAL AFFAIRS TO APPROVE THE AMOUNT, THE INTEREST RATE, PRICE, INCLUDING THE TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO

ATTACHMENTS

Attachment 1 - Parameter Order Authorizing the Issuance of Building and/or Refunding Bonds

RESOURCE PERSONNEL

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ORDER AUTHORIZING THE ISSUANCE OF SAN JACINTO COMMUNITY COLLEGE DISTRICT LIMITED TAX GENERAL OBLIGATION BUILDING AND/OR REFUNDING BONDS; SETTING CERTAIN PARAMETERS FOR THE BONDS; AUTHORIZING THE VICE CHANCELLOR OF FISCAL AFFAIRS TO APPROVE THE AMOUNT, THE INTEREST RATE, PRICE, INCLUDING THE TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO

THE STATE OF TEXAS §
COUNTIES OF HARRIS AND CHAMBERS §
SAN JACINTO COMMUNITY COLLEGE DISTRICT §

WHEREAS, San Jacinto Community College District (the “District”) has heretofore issued the bonds described in Exhibit A attached hereto and as more particularly described in the Officer’s Pricing Certificate; and

WHEREAS, the District desires to refund a portion of said bonds (the “Refunded Bonds”) in advance of their maturities; and

WHEREAS, Chapter 1207, Texas Government Code, authorizes the District to issue refunding bonds for the purpose of refunding the Refunded Bonds in advance of their maturities, and to accomplish such refunding by depositing directly with a paying agent for the Refunded Bonds (or other qualified escrow agent), the proceeds of such refunding bonds, together with other available funds, in an amount sufficient to provide for the payment or redemption of the Refunded Bonds, and provides that such deposit shall constitute the making of firm banking and financial arrangements for the discharge and final payment or redemption of the Refunded Bonds; and

WHEREAS, upon the issuance of the refunding bonds herein authorized and the deposit of funds referred to above, the Refunded Bonds shall no longer be regarded as being outstanding, except for the purpose of being paid pursuant to such deposit, and the pledges, liens, trusts and all other covenants, provisions, terms and conditions of the orders authorizing the issuance of the Refunded Bonds shall be, with respect to the Refunded Bonds, discharged, terminated and defeased; and

WHEREAS, the District also wishes to issue bonds hereinafter authorized that were duly and favorably voted at an election held in the District on the 3rd day of November, 2015 (the “Election”); and

WHEREAS, the Board of Trustees of the District does hereby determine that bonds and any premium charged against such voted authority in an aggregate amount not to exceed \$40,000,000 should be issued as the fourth and final installment of a total \$425,000,000 bonds voted at the Election pursuant to Chapter 130, Texas Education Code, and

WHEREAS, the District has a principal amount of at least \$100,000,000 in a combination of outstanding long-term indebtedness and long-term indebtedness proposed to be issued, and some amount of such long-term indebtedness is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities without

Attachment 1

regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with the obligation, and therefore, the District qualifies as an “Issuer” under Chapter 1371, Texas Government Code; and

WHEREAS, pursuant to Sections 1207.007 and 1371.053, Texas Government Code, the District desires to delegate the authority to the Vice Chancellor of Fiscal Affairs to effect the sale of the Bonds, from time to time and in one or more installments; Now, therefore

BE IT ORDERED BY THE BOARD OF TRUSTEES OF SAN JACINTO COMMUNITY COLLEGE DISTRICT:

1. Recitals; Consideration. It is hereby found and determined that the matters and facts set out in the preamble to this Order are true and correct.

It is hereby found and determined that the refunding contemplated in this Order will benefit the District by providing a present value savings in the debt service payable by the District, and that such benefit is sufficient consideration for the refunding of the Refunded Bonds, and that the issuance of the refunding bonds is in the best interests of the District.

2. Definitions. Throughout this Order the following terms and expressions as used herein shall have the meanings set forth below:

“Acts” means Chapters 1207 and 1371, Texas Government Code.

“Blanket Issuer Letter of Representations” means the Blanket Issuer Letter of Representations between the District, the Registrar and DTC.

“Bonds” means one or more series of the San Jacinto Community College District Limited Tax General Obligation ¹, Series ² authorized in this Order and more fully described in the Officer’s Pricing Certificate, unless the context clearly indicates otherwise.

“Business Day” means any day that is not a Saturday, Sunday or a day that the Registrar is authorized by law or executive order to close.

“Capital Appreciation Bonds” means those Bonds bearing compound interest at the rate set out in the Officer’s Pricing Certificate to accrete from their date of delivery and compounding on the dates set forth in the Officer’s Pricing Certificate, payable only at maturity.

“Code” means the Internal Revenue Code of 1986.

“Comptroller” means the Comptroller of Public Accounts of the State of Texas.

“Current Interest Bonds” means those Bonds on which interest is paid semiannually on the Interest Payment Dates.

¹Insert from Officer’s Pricing Certificate.

²Insert from Officer’s Pricing Certificate.

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“Debt Service Fund” means the interest and sinking fund for payment of the Bonds established by the District in Section 19 of this Order.

“District” means the San Jacinto Community College District.

“DTC” means The Depository Trust Company of New York, New York, or any successor securities depository.

“DTC Participant” means brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

“Escrow Agent” means UMB Bank and its successors in such capacity.

“Escrow Agreement” means the agreement between the District and the Escrow Agent relating to the escrow of funds to pay the Refunded Bonds.

“Initial Bonds” means the Initial Current Interest Bond and the Initial Capital Appreciation Bond.

“Initial Capital Appreciation Bond” means the Initial Capital Appreciation Bond authorized by Section 4(b)(ii).

“Initial Current Interest Bond” means the Initial Current Interest Bond authorized by Section 4(b)(i).

“Interest Payment Date”, when used in connection with any Current Interest Bond, means the dates set forth in the Officer’s Pricing Certificate.

“Issuance Date” means the date on which the Bonds are delivered to and paid for by the Underwriters.

“MSRB” means the Municipal Securities Rulemaking Board.

“Officer’s Pricing Certificate” means a certificate signed by the Pricing Officer and containing the information specified herein regarding any series of Bonds issued hereunder.

“Order” as used herein and in the Bonds means this order authorizing the Bonds.

“Owner” means any person who shall be the registered owner of any outstanding Bond.

“Pricing Officer” means the Vice Chancellor of Fiscal Affairs of the District.

“Purchase Agreement” means the agreement between the District and the Underwriters described in Section 4(e) of this Order.

“Record Date” means, for any Interest Payment Date, the close of business of the last

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Business Day of the month next preceding each Interest Payment Date.

“Refunded Bonds” means the bonds described in Exhibit A attached hereto and as more particularly described in the Officer’s Pricing Certificate.

“Register” means the books of registration in which the Registrar maintains the names and addresses of each Owner as well as the principal amounts of the Bonds registered to each Owner.

“Registrar” means the bank or trust company identified in the Officer’s Pricing Certificate, and its successors in that capacity.

“Report” means the report of Public Finance Partners (or one or more certified public accountants or a firm thereof), verifying the accuracy of certain mathematical computations relating to each issuance of the Bonds and the Refunded Bonds.

“Rule” means SEC Rule 15c2-12.

“SEC” means the United States Securities and Exchange Commission.

“Underwriters” means the individual underwriter or underwriting syndicate identified in the Officer’s Pricing Certificate.

“Vice Chancellor of Fiscal Affairs” means Teri Zamora, or such other person servicing the District as a successor in that capacity.

3. Authorization. The Bonds shall be issued in fully registered form, in one or more series, in a maximum principal amount (i) not to exceed \$40,000,000 including any premium counted against voted authorization, for the purpose of the construction, renovation, acquisition, and equipment of school buildings in the District and the purchase of the necessary sites for school buildings, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Chapter 130, Texas Education Code and Chapter 1371, Texas Government Code and (ii) not to exceed \$10,000,000 for the purpose of refunding the Refunded Bonds, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Chapters 1207 and 1371, Texas Government Code.

4. Delegation of Authority. As authorized by Sections 1207.007 and 1371.053, Texas Government Code, the Pricing Officer is authorized to act on behalf of the District through a date one year from the date of this Order, from time to time, in selling and delivering one or more series of Bonds, subject to the conditions and carrying out the other procedures as set forth below:

(a) Designation. The Bonds shall be designated as “SAN JACINTO COMMUNITY COLLEGE DISTRICT LIMITED TAX GENERAL OBLIGATION _____³, SERIES _____⁴” and more fully described in the Officer’s Pricing Certificate.

³Insert from Officer’s Pricing Certificate.

⁴Insert from Officer’s Pricing Certificate.

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(b) The Bonds may be issued as Current Interest Bonds and/or Capital Appreciation Bonds.

(i) The Initial Current Interest Bond shall be numbered ICI-1 and all other Current Interest Bonds shall be numbered in sequence beginning with RCI-1. Current Interest Bonds delivered on transfer of or in exchange for other Current Interest Bonds shall be numbered in order of their authentication by the Registrar, shall be in the denomination of \$5,000 or integral multiples thereof, and shall mature on the same date and bear interest at the same rate as the Bond or Bonds in lieu of which they are delivered.

(ii) The Capital Appreciation Bonds, if any, shall be initially issued bearing compound interest at the rates set out in the Officer's Pricing Certificate. The Initial Capital Appreciation Bond shall be numbered ICA-1 and all other Capital Appreciation Bonds shall be numbered in sequence beginning with RCA-1. Capital Appreciation Bonds delivered on transfer of or in exchange for other Capital Appreciation Bonds shall be numbered in order of their authentication by the Registrar, shall be in the Maturity Amount of \$5,000 or integral multiples thereof, and shall mature on the same date and bear interest at the same rate as the Bond or Bonds in lieu of which they are delivered.

(c) Date, Denomination, Interest Rates and Maturities. The Bonds shall be dated, mature on the dates in each of the years and in the amounts set out in the Officer's Pricing Certificate, shall be subject to prior optional and/or mandatory redemption on the dates, for the redemption prices and in the amounts, set out in the Officer's Pricing Certificate and shall bear interest at the rates and from the date as set out in the Officer's Pricing Certificate payable on each Interest Payment Date.

(d) Selling and Delivering Bonds. The Pricing Officer is hereby authorized to act on behalf of the District in selling and delivering the Bonds and carrying out the other procedures specified in this Order, including, without limitation, determining the date on and price at which the Bonds will be sold, the method and manner of sale (public or private), the issuance date and dated date of the Bonds, the designation or title of the Bonds, whether particular Bonds will be issued as Current Interest Bonds or Capital Appreciation Bonds, the years in which the Bonds will mature, the aggregate principal amount of the Bonds, the principal amount or Maturity Amount, as the case may be, to mature in each year of maturity, the rate of interest to be borne by each such maturity, the interest payment and record dates, any redemption terms and provisions (including terms and provisions for optional and mandatory sinking fund redemption), whether to apply for and obtain municipal bond insurance, and all other matters relating to the issuance, sale and delivery of the Bonds, all of which shall be specified in Officer's Pricing Certificate; provided that:

PARAMETERS FOR NEW MONEY BONDS:

(i) the maximum issuance of an amount not to exceed \$40,000,000;

Attachment 1

- (ii) the maximum maturity date will not exceed 30 years;
- (iii) the parameter sale is authorized for one year from the date of the Order;
- (iv) the net effective interest rate shall not exceed the maximum rate allowed by Chapter 1204, Texas Government Code, as amended;
- (v) the cost of issuance shall be paid from proceeds of the bonds.

PARAMETERS FOR REFUNDING BONDS:

- (i) the maximum issuance of an amount not to exceed \$10,000,000;
- (ii) the net present value savings in debt service resulting from any refunding of the refunded bonds shall be, in the case of any current refunding, at least 3% of the principal amount of the refunded bonds as shown by a table of calculations prepared by the College's financial adviser and attached to the Officer's Pricing Certificate;
- (iii) the amount of the bonds must be sufficient to provide the amounts necessary to fund the costs and related issuance expenses of the refunded bonds;
- (iv) the parameter sale is authorized for one year from the date of the Order;
- (v) the net effective interest rate on the Bonds shall not exceed the maximum rate allowed by Chapter 1204, Texas Government Code;
- (vi) the cost of issuance shall be paid from proceeds of the bonds.

(e) Sale; Purchase Agreement. The Bonds shall be sold and delivered to the Underwriters at a price to be set forth in the Officer's Pricing Certificate, plus accrued interest to the date of delivery, in accordance with the terms of one or more Purchase Agreements to be approved by the Pricing Officer. The Pricing Officer is hereby authorized and directed to execute one or more Purchase Agreements on behalf of the District, and the Chair and the Vice Chair and all other officers, agents and representatives of the District are hereby authorized to do any and all things necessary or desirable to satisfy the conditions set out therein and to provide for the issuance and delivery of the Bonds.

(f) Use of Proceeds. Proceeds from the sale of the Bonds shall, promptly upon receipt by the District, be applied as follows:

- (i) Accrued interest in the amount of \$ _____⁵ and, if necessary, net premium on the Bonds in the amount of \$ _____⁶, shall be

⁵Insert from Officer's Pricing Certificate.

⁶Insert from Officer's Pricing Certificate.

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deposited into the Debt Service Fund.

- (ii) Net premium on the Bonds in the amount of \$ _____⁷ shall be used to pay the costs of issuance.
- (iii) Net premium on the Bonds in the amount of \$ _____⁸ shall be used to pay the underwriters' discount.
- (iv) If for new money purposes, bond proceeds in the amount of \$ _____⁹ shall be used for the purposes described in Section 3(i). Any proceeds of the Bonds remaining after making all deposits and payments shall be deposited into the Debt Service Fund.
- (v) If for refunding purposes, bond proceeds in the amount of \$ _____¹⁰, and, if necessary, other available funds from the District in the amount of \$ _____¹¹ from the Debt Service Fund shall be applied to establish an escrow fund to refund the Refunded Bonds, as more fully provided in Section 23 of the Order, and, to the extent not otherwise provided for, to pay all expenses arising in connection with the issuance of the Bonds, the establishment of such escrow fund and the refunding of the Refunded Bonds.

Any proceeds of the Bonds remaining after making all such deposits and payments shall be deposited into the Debt Service Fund.

5. Execution and Registration of Bonds. (a) The Bonds shall be signed by the Chair or Vice Chair of the Board and countersigned by the Secretary of the Board, by their manual, lithographed, or facsimile signatures, and the official seal of the District shall be impressed or placed in facsimile thereon. Such facsimile signatures on the Bonds shall have the same effect as if each of the Bonds had been signed manually and in person by each of said officers, and such facsimile seal on the Bonds shall have the same effect as if the official seal of the District had been manually impressed upon each of the Bonds.

(b) If any officer of the District whose manual or facsimile signature shall appear on the Bonds shall cease to be such officer before the authentication of such Bonds or before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in such office.

⁷Insert from Officer's Pricing Certificate.

⁸Insert from Officer's Pricing Certificate.

⁹ Insert from Officers Pricing Certificate.

¹⁰Insert from Officer's Pricing Certificate.

¹¹Insert from Officer's Pricing Certificate.

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(c) Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Order unless and until there appears thereon the Registrar's Authentication Certificate substantially in the form provided herein, duly authenticated by manual execution by an officer or duly authorized signatory of the Registrar. In lieu of the executed Registrar's Authentication Certificate described above, the Initial Bonds delivered at the Issuance Date shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided herein, manually executed by the Comptroller, or by her duly authorized agent, which certificates shall be evidence that the Initial Bonds have been duly approved by the Attorney General of the State of Texas and that they are valid and binding obligations of the District, and have been registered by the Comptroller.

(d) On the Issuance Date, the Initial Bonds, payable in stated installments to the Underwriters or their designee, executed by manual or facsimile signature of the Chair of the Board and Secretary of the Board, approved by the Attorney General, and registered and manually signed by the Comptroller, shall be delivered to the Underwriters or their designee. Upon payment for the Initial Bonds, the Registrar shall cancel the Initial Bond and definitive Bonds shall be delivered to DTC.

6. Payment of Principal and Interest. The Registrar is hereby appointed as the registrar and paying agent for the Bonds. The principal of the Bonds shall be payable, without exchange or collection charges, in any coin or currency of the United States of America which, on the date of payment, is legal tender for the payment of debts due the United States of America, upon their presentation and surrender as they respectively become due and payable at the corporate trust office of the Registrar. The interest on each Bond shall be payable on each Interest Payment Date, by check mailed by the Registrar on or before the Interest Payment Date to the Owner of record as of the Record Date, to the address of such Owner as shown on the Register.

If the date for payment of the principal of or interest on any Bond is not a Business Day, then the date for such payment shall be the next succeeding Business Day with the same force and effect as if made on the date payment was originally due.

7. Successor Registrars. The District covenants that at all times while any Bonds are outstanding it will provide a commercial bank or trust company, organized under the laws of the United States or any state, duly qualified to serve as and perform the duties and services of Registrar for the Bonds. The District reserves the right to change the Registrar for the Bonds on not less than thirty (30) days written notice to the Registrar, so long as any such notice is effective not less than sixty (60) days prior to the next succeeding principal or interest payment date on the Bonds. Promptly upon the appointment of any successor Registrar, the previous Registrar shall deliver the Register or copies thereof to the new Registrar, and the new Registrar shall notify each Owner, by United States mail, first class postage prepaid, of such change and of the address of the new Registrar. Each Registrar hereunder, by acting in that capacity, shall be deemed to have agreed to the provisions of this Section.

8. Special Record Date. If interest on any Bond is not paid on any Interest Payment Date and continues unpaid for thirty (30) days thereafter, the Registrar shall establish a new record date for the payment of such interest, to be known as a Special Record Date. The Registrar shall

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establish a Special Record Date when funds to make such interest payment are received from or on behalf of the District. Such Special Record Date shall be fifteen (15) days prior to the date fixed for payment of such past due interest, and notice of the date of payment and the Special Record Date shall be sent by United States mail, first class, postage prepaid, not later than five (5) days prior to the Special Record Date, to each affected Owner of record as of the close of business on the day prior to the mailing of such notice.

9. Book-Entry Only System. (a) The Initial Bonds shall be registered in the name designated in the Officer's Pricing Certificate. Except as provided in Section 10 hereof, all other Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(b) With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the District and the Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such DTC Participant holds an interest in the Bonds, except as provided in this Order. Without limiting the immediately preceding sentence, the District and the Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any notice with respect to the Bonds, including any notice of redemption or (iii) the payment to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Order to the contrary, the District and the Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Register as the absolute Owner of such Bond for the purpose of payment of principal of and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfer with respect to such Bond, and for all other purposes whatsoever. The Registrar shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Owners, as shown in the Register as provided in this Order, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payments of principal, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Register, shall receive a Bond certificate evidencing the obligation of the District to make payments of amounts due pursuant to this Order. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions of this Order with respect to interest checks being mailed to the Owner of record as of the Record Date, the phrase "Cede & Co." in this Order shall refer to such new nominee of DTC.

10. Successor Securities Depository; Transfer Outside Book-Entry Only System. In the event that the District, in its sole discretion, determines that the beneficial owners of the Bonds should be able to obtain certificated Bonds, or in the event DTC discontinues the services described herein, the District shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934 notify DTC and DTC Participants, as identified by DTC, of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants, as identified by DTC, of the availability through DTC of Bonds and transfer one or

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more separate Bonds to DTC Participants having Bonds credited to their DTC accounts, as identified by DTC. In such event, the Bonds shall no longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Order.

11. Payments to Cede & Co. Notwithstanding any other provision of this Order to the contrary, so long as any Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bonds, and all notices with respect to such Bonds, shall be made and given, respectively, in the manner provided in the Blanket Letter of Representations.

12. Ownership; Unclaimed Principal and Interest. The District, the Registrar and any other person may treat the person in whose name any Bond is registered as the absolute owner of such Bond for the purpose of making and receiving payment of the principal of or interest on such Bond, and for all other purposes, whether or not such Bond is overdue, and neither the District nor the Registrar shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the Owner of any Bond in accordance with this Section shall be valid and effectual and shall discharge the liability of the District and the Registrar upon such Bond to the extent of the sums paid.

Amounts held by the Registrar which represent principal of and interest on the Bonds remaining unclaimed by the Owner after the expiration of three years from the date such amounts have become due and payable shall be reported and disposed of by the Registrar in accordance with the applicable provisions of Texas law including, to the extent applicable, Title 6 of the Texas Property Code.

13. Registration, Transfer and Exchange. So long as any Bonds remain outstanding, the Registrar shall keep the Register at its corporate trust office. Subject to such reasonable regulations as it may prescribe, the Registrar shall provide for the registration and transfer of Bonds in accordance with the terms of this Order.

Each Bond shall be transferable only upon the presentation and surrender thereof at the corporate trust office of the Registrar, duly endorsed for transfer, or accompanied by an assignment duly executed by the registered Owner or his authorized representative in form satisfactory to the Registrar. Upon due presentation of any Bond for transfer, the Registrar shall authenticate and deliver in exchange therefor, within three (3) Business Days after such presentation, a new Bond or Bonds of the same type registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Bond or Bonds so presented.

All Bonds shall be exchangeable upon presentation and surrender thereof at the corporate trust office of the Registrar, for a Bond or Bonds of the same type, maturity and interest rate in any authorized denomination, in an aggregate amount equal to the unpaid principal amount of the Bond or Bonds presented for exchange. The Registrar shall be and is hereby authorized to authenticate and deliver exchange Bonds in accordance with the provisions of this Section. Each Bond delivered

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in accordance with this Section shall be entitled to the benefits and security of this Order to the same extent as the Bond or Bonds in lieu of which such Bond is delivered.

The District or the Registrar may require the Owner of any Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Bond. Any fee or charge of the Registrar for such transfer or exchange shall be paid by the District.

14. Mutilated, Lost or Stolen Bonds. Upon the presentation and surrender to the Registrar of a mutilated Bond, the Registrar shall authenticate and deliver in exchange therefor a replacement Bond of like maturity, interest rate, and principal amount, bearing a number not contemporaneously outstanding. If any Bond is lost, apparently destroyed, or wrongfully taken, the District, pursuant to the applicable laws of the State of Texas and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall authorize and the Registrar shall authenticate and deliver a replacement Bond of like maturity, interest rate and principal amount, bearing a number not contemporaneously outstanding.

The District or the Registrar may require the Owner of a mutilated Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection therewith and any other expenses connected therewith, including the fees and expenses of the Registrar. The District or the Registrar may require the Owner of a lost, apparently destroyed or wrongfully taken Bond, before any replacement Bond is issued, to:

- (1) furnish to the District and the Registrar satisfactory evidence of the ownership of and the circumstances of the loss, destruction or theft of such Bond;
- (2) furnish such security or indemnity as may be required by the Registrar and the District to save them harmless;
- (3) pay all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Registrar and any tax or other governmental charge that may be imposed; and
- (4) meet any other reasonable requirements of the District and the Registrar.

If, after the delivery of such replacement Bond, a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the District and the Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the District or the Registrar in connection therewith.

If any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the District in its discretion may, instead of issuing a replacement Bond, authorize the Registrar to pay such Bond.

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Each replacement Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Order to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

15. Cancellation of Bonds. All Bonds paid in accordance with this Order, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance herewith, shall be cancelled and destroyed upon the making of proper records regarding such payment. The Registrar shall furnish the District with appropriate certificates of destruction of such Bonds.

16. Optional and/or Mandatory Redemption; Defeasance. The Bonds are subject to optional and/or mandatory redemption as set forth in the Form of Bonds.

Notice of any redemption identifying the Bonds to be redeemed in whole or in part shall be given by the Registrar at least thirty (30) days prior to the date fixed for redemption by sending written notice by first class mail to the Owner of each Bond to be redeemed in whole or in part at the address shown on the Register. Such notices shall state the redemption date, the redemption price, the place at which Bonds are to be surrendered for payment and, if less than all Bonds of a particular maturity are to be redeemed, the numbers of the Bonds or portions thereof of such maturity to be redeemed. Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed. When Bonds have been called for redemption in whole or in part and due provision has been made to redeem same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Owners to collect interest which would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

The Bonds may be discharged, defeased, redeemed or refunded in any manner now or hereafter permitted by law.

17. Forms. The form of the Bonds, including the form of Registration Certificate of the Comptroller, which shall be attached or affixed to each Initial Bond, the form of the Registrar's Authentication Certificate and the form of Assignment, shall be, respectively, substantially as follows, with such additions, deletions and variations as may be required by the Pricing Officer, necessary or desirable and not prohibited by this Order:

[Remainder of this page intentionally left blank]

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(a) Form of Current Interest Bond.

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTIES OF HARRIS AND CHAMBERS

REGISTERED
NUMBER

REGISTERED
DENOMINATION

\$_____

SAN JACINTO COMMUNITY COLLEGE DISTRICT
LIMITED TAX GENERAL OBLIGATION
_____¹², SERIES _____¹³

INTEREST RATE:

MATURITY DATE:

_____¹⁴

ISSUANCE DATE:

_____¹⁵

CUSIP:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

SAN JACINTO COMMUNITY COLLEGE DISTRICT (the "District") promises to pay to the registered owner identified above, or registered assigns, on the maturity date specified above, upon presentation and surrender of this Bond at the corporate trust office of _____¹⁶ (the "Registrar"), the principal amount identified above, payable in any coin or currency of the United States of America which on the date of payment is legal tender for the payment of debts due the United States of America, and to pay interest thereon at the rate shown above, calculated on the basis of a 360-day year of twelve 30-day months, from the Issuance Date, or the most recent interest payment date to which interest has been paid or duly provided for. The dated date of the Bonds is _____¹⁷. Interest on this Bond is payable by check on _____¹⁸ and _____¹⁹ beginning on _____²⁰, mailed to the registered _____

¹²Insert from Officer's Pricing Certificate.

¹³Insert from Officer's Pricing Certificate.

¹⁴ Insert from Officer's Pricing Certificate.

¹⁵ Insert from Officer's Pricing Certificate.

¹⁶Insert from Officer's Pricing Certificate.

¹⁷ Insert from Officer's Pricing Certificate.

¹⁸Insert from Officer's Pricing Certificate.

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owner as shown on the books of registration kept by the Registrar as of the close of business on the last business day of the month next preceding each interest payment date.

THIS BOND is one of a duly authorized issue of Bonds, aggregating \$ _____²¹ (the “Bonds”), issued [(i) for the purpose of the construction, renovation, acquisition, and equipment of school buildings in the District and the purchase of the necessary sites for school buildings, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Chapter 130, Texas Education Code and Chapter 1371, Texas Government Code and (ii) for the purpose refunding the Refunded Bonds, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Chapters 1207 and 1371, Texas Government Code,]²² and pursuant to an order adopted by the Board of Trustees of the District (the “Order”), which Order is of record in the official minutes of the District. [The Bonds are issued as (i) Bonds in the aggregate principal amount of \$ _____²³ which pay interest only at maturity, and (ii) Bonds in the aggregate principal amount of \$ _____²⁴ which pay interest semiannually until maturity or earlier redemption.]²⁵

THE DISTRICT RESERVES THE RIGHT, at its option, to redeem Bonds maturing on or after _____²⁶, in whole or from time to time in part, in integral multiples of \$5,000, on _____²⁷, or any date thereafter at par plus accrued interest on the principal amounts called for redemption to the date fixed for redemption. If less than all the Bonds are to be redeemed, the District shall select the Bonds to be redeemed.

[If applicable, mandatory redemption language]²⁸

NOTICE OF ANY REDEMPTION shall be given by the Registrar at least thirty (30) days prior to the date fixed for redemption by first class mail, addressed to the registered owners of each Bond to be redeemed in whole or in part at the address shown on the books of registration kept by the Registrar. When Bonds or portions thereof have been called for redemption, and due provision has been made to redeem the same, the principal amounts so redeemed shall be payable solely from

¹⁹Insert from Officer’s Pricing Certificate.

²⁰Insert from Officer’s Pricing Certificate.

²¹ Insert from Officer’s Pricing Certificate.

²² Insert from Officer’s Pricing Certificate..

²³ Insert from Officer’s Pricing Certificate.

²⁴ Insert from Officer’s Pricing Certificate.

²⁵Remove bracketed language if there are no CABs.

²⁶ Insert from Officer’s Pricing Certificate.

²⁷ Insert from Officer’s Pricing Certificate.

²⁸ Insert from Officer’s Pricing Certificate.

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the funds provided for redemption, and interest which would otherwise accrue on the amounts called for redemption shall terminate on the date fixed for redemption.

THIS BOND IS TRANSFERABLE only upon presentation and surrender at the corporate trust office of the Registrar, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his authorized representative, subject to the terms and conditions of the Order.

THIS BOND IS EXCHANGEABLE at the corporate trust office of the Registrar for Bonds in the denomination of \$5,000 or any integral multiple thereof, subject to the terms and conditions of the Order.

THIS BOND shall not be valid or obligatory for any purpose or be entitled to any benefit under the Order unless this Bond is either (i) registered by the Comptroller of Public Accounts of the State of Texas by registration certificate attached or affixed hereto or (ii) authenticated by the Registrar by due execution of the authentication certificate endorsed hereon.

THE REGISTERED OWNER of this Bond, by acceptance hereof, acknowledges and agrees to be bound by all the terms and conditions of the Order.

THE DISTRICT has covenanted in the Order that it will at all times provide a legally qualified registrar for the Bonds and will cause notice of any change of registrar to be mailed to each registered owner.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly issued and delivered; that all acts, conditions and things required or proper to be performed, to exist and to be done precedent to or in the issuance and delivery of this Bond have been performed, exist and have been done in accordance with law; and that annual ad valorem taxes, within the limits prescribed by law, sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in the District, and have been pledged irrevocably for such payment.

IN WITNESS WHEREOF, this Bond has been signed with the manual or facsimile signature of the Chair and countersigned with the manual or facsimile signature of the Secretary, and the official seal of the District has been duly impressed, or placed in facsimile, on this Bond.

(AUTHENTICATION
CERTIFICATE)

(SEAL)

SAN JACINTO COMMUNITY COLLEGE
DISTRICT

Chair, Board of Trustees

Secretary, Board of Trustees

(b) Form of Capital Appreciation Bonds (if required).

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTIES OF HARRIS AND CHAMBERS

REGISTERED
NUMBER

REGISTERED
DENOMINATION

\$_____

SAN JACINTO COMMUNITY COLLEGE DISTRICT
LIMITED TAX GENERAL OBLIGATION
_____²⁹, SERIES _____³⁰

MATURITY DATE:

ISSUANCE DATE:

_____³¹

CUSIP:

REGISTERED OWNER:

MATURITY AMOUNT:

DOLLARS

SAN JACINTO COMMUNITY COLLEGE DISTRICT (the "District") promises to pay to the registered owner identified above, or registered assigns, on the maturity date specified above, upon presentation and surrender of this Bond at the corporate trust office of _____³² (the "Registrar"), the Maturity Amount identified above, representing the principal amount hereof and accrued and compounded interest hereon (both as shown in the table attached to this Bond), in any coin or currency of the United States of America which on the date of payment is legal tender for the payment of debts due the United States of America. The date of this Bond is _____³³, but interest shall accrue on the principal amount hereof from the Issuance Date at the per annum rate specified on the Table of Accreted Values attached hereto. The Accreted Value (per \$5,000 of Maturity Amount) of this Bond, as of the Issuance Date and as of each _____³⁴ and _____³⁵ is set forth in the Table of

²⁹Insert from Officer's Pricing Certificate.

³⁰Insert from Officer's Pricing Certificate.

³¹ Insert from Officer's Pricing Certificate.

³²Insert from Officer's Pricing Certificate.

³³ Insert from Officer's Pricing Certificate.

³⁴Insert from Officer's Pricing Certificate.

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Accreted Values attached hereto. Such value as of any other date shall be determined by straight-line interpolation between such values.

THIS BOND is one of a duly authorized issue of Bonds, aggregating \$_____³⁶ (the “Bonds”), issued [(i) for the purpose of the construction, renovation, acquisition, and equipment of school buildings in the District and the purchase of the necessary sites for school buildings, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Chapter 130, Texas Education Code and Chapter 1371, Texas Government Code and (ii) for the purpose refunding the Refunded Bonds, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Chapters 1207 and 1371, Texas Government Code, and pursuant to an order adopted by the Board of Trustees of the District (the “Order”),]³⁷ which Order is of record in the official minutes of the District. [The Bonds are issued as (i) Bonds in the aggregate principal amount of \$_____³⁸ which pay interest only at maturity, and (ii) Bonds in the aggregate principal amount of \$_____³⁹ which pay interest semiannually until maturity or earlier redemption.]⁴⁰

THIS BOND IS TRANSFERABLE only upon presentation and surrender at the corporate trust office of the Registrar, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his authorized representative, subject to the terms and conditions of the Order.

THIS BOND IS EXCHANGEABLE at the corporate trust office of the Registrar for Bonds in the denomination of \$5,000 or any integral multiple thereof, subject to the terms and conditions of the Order.

THIS BOND shall not be valid or obligatory for any purpose or be entitled to any benefit under the Order unless this Bond is either (i) registered by the Comptroller of Public Accounts of the State of Texas by registration certificate attached or affixed hereto or (ii) authenticated by the Registrar by due execution of the authentication certificate endorsed hereon.

THE REGISTERED OWNER of this Bond, by acceptance hereof, acknowledges and agrees to be bound by all the terms and conditions of the Order.

THE DISTRICT has covenanted in the Order that it will at all times provide a legally qualified registrar for the Bonds and will cause notice of any change of registrar to be mailed to each registered owner.

³⁵Insert from Officer’s Pricing Certificate.

³⁶ Insert from Officer’s Pricing Certificate.

³⁷ Insert from Officer’s Pricing Certificate.

³⁸ Insert from Officer’s Pricing Certificate.

³⁹ Insert from Officer’s Pricing Certificate.

⁴⁰Remove bracketed language if there are no CABs.

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IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly issued and delivered; that all acts, conditions and things required or proper to be performed, to exist and to be done precedent to or in the issuance and delivery of this Bond have been performed, exist and have been done in accordance with law; and that annual ad valorem taxes, within the limits prescribed by law, sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in the District, and have been pledged irrevocably for such payment.

IN WITNESS WHEREOF, this Bond has been signed with the manual or facsimile signature of the Chair and countersigned with the manual or facsimile signature of the Secretary, and the official seal of the District has been duly impressed, or placed in facsimile, on this Bond.

(AUTHENTICATION
CERTIFICATE)

(SEAL)

SAN JACINTO COMMUNITY COLLEGE
DISTRICT

Chair, Board of Trustees

Secretary, Board of Trustees

TABLE OF ACCRETED VALUES⁴¹

(c) Form of Comptroller's Registration Certificate.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE AND SEAL this _____.

(SEAL)

Comptroller of Public Accounts
of the State of Texas

(d) Form of Registrar's Authentication Certificate.

⁴¹ Insert from Officer's Pricing Certificate.

AUTHENTICATION CERTIFICATE

It is hereby certified that this Bond has been delivered pursuant to the Order described in the text of this Bond.

[_____]
As Paying Agent/Registrar

By _____
Authorized Signature
Date of Authentication _____

(e) Form of Assignment.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns, and transfers unto

(Please print or type name, address, and zip code of Transferee)

(Please insert Social Security or Taxpayer Identification Number of Transferee)
the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

attorney to transfer said Bond on the books kept for registration thereof, with full power of
substitution in the premises.

DATED: _____

Signature Guaranteed:

NOTICE: Signature must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

Registered Owner

NOTICE: The signature above must correspond to the name of the registered owner as shown on the face of this Bond in every particular, without any alteration, enlargement or change whatsoever.

(g) The Initial Bond shall be in the form set forth in paragraphs (a), (b), (c), and (e) of this Section, except for the following alterations:

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(i) immediately under the name of the Current Interest Bond, the headings “INTEREST RATE” and “MATURITY DATE” shall both be completed with the words “As Shown Below” and the word “CUSIP” deleted; immediately under the name of the Capital Appreciation Bond, the heading “MATURITY DATE” shall be completed with the words “As Shown Below” and the word “CUSIP” deleted;

(ii) in the first paragraph of the Current Interest Bond, the words “on the maturity date specified above” and “at the rate shown above” shall be deleted and the following shall be inserted at the end of the first sentence “..., with such principal to be paid in installments on the dates, in each of the years and in the principal amounts identified in the following schedule and with such installments bearing interest at the per annum rates set forth in the following schedule:”

[Information to be inserted from schedule in the Officer’s Pricing Certificate]

(iii) in the first paragraph of the Capital Appreciation Bond, the words “on the maturity date specified above” shall be deleted, and the words “the Maturity Amount identified above” shall be replaced with “the Maturity Amounts shown in the schedule below”.

[Information to be inserted from schedule in the Officer’s Pricing Certificate]

(iv) the Initial Bonds shall be numbered ICI-1 and ICA-1, respectively.

18. CUSIP Numbers. CUSIP Numbers may be printed on the Bonds, but errors or omissions in the printing of such numbers shall have no effect on the validity of the Bonds.

19. Debt Service Fund; Tax Levy. A special fund to be designated “San Jacinto Community College District Limited Tax ⁴² Bonds, Series ⁴³, Debt Service Fund” is hereby created, and the proceeds from all taxes levied, assessed and collected for and on account of the Bonds authorized by this Order shall be deposited, as collected, in such Fund. While the Bonds or any part of the principal thereof or interest thereon remain outstanding and unpaid, there is hereby levied and there shall be annually assessed and collected in due time, form and manner, and at the same time as other District taxes are assessed, levied and collected, in each year, an annual ad valorem tax, within the limits prescribed by law, upon all taxable property in the District, sufficient to pay the interest on the Bonds as the same becomes due and to pay each installment of the principal of the Bonds as the same matures, full allowance being made for delinquencies and costs of collection, and said taxes are hereby irrevocably pledged to the payment of the interest on and principal of the Bonds and to no other purpose.

⁴²Insert from Officer’s Pricing Certificate.

⁴³Insert from Officer’s Pricing Certificate.

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To pay any debt service coming due on the Bonds prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

20. Application of Chapter 1208, Texas Government Code. Chapter 1208, Texas Government Code, applies to the issuance of the Bonds and the pledge of the taxes granted by the District under Section 19 of this Order, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Bonds are outstanding and unpaid such that the pledge of the taxes granted by the District under Section 19 of this Order is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, then in order to preserve to the registered owners of the Bonds the perfection of the security interest in said pledge, the District agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

21. Further Proceedings. After the Initial Bonds have been executed, it shall be the duty of the Chair of the Board and other appropriate officials and agents of the District to deliver the Initial Bonds and all pertinent records and proceedings to the Attorney General of the State of Texas, for examination and approval. After the Initial Bonds have been approved by the Attorney General, they shall be delivered to the Comptroller for registration. Upon registration of the Initial Bonds, the Comptroller (or the Comptroller's bond clerk or an assistant bond clerk lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificate prescribed herein and the seal of said Comptroller shall be impressed, or placed in facsimile, thereon.

22. Covenants to Maintain Tax Exempt Status.

(a) Definitions. When used in this Section, the following terms have the following meanings:

“Code” means the Internal Revenue Code of 1986.

“Computation Date” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Gross Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Investment” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Issue Date” for each series or sub-series of the Bonds or other obligations of the District is the respective date on which such series or sub-series of the Bonds or other obligations of the District is delivered against payment therefor.

“Net Sale Proceeds” has the meaning stated in Section 1.148-1(b) of the

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Regulations.

“Nonpurpose Investment” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Rebate Amount” has the meaning stated in Section 1.148-3 of the Regulations.

“Regulations” means the temporary or final Income Tax Regulations applicable to the Bonds issued pursuant to Sections 141 through 150 of the Code. Any reference to a section of the Regulations shall also refer to any successor provision to such section hereafter promulgated by the Internal Revenue Service pursuant to Sections 141 through 150 of the Code and applicable to the Bonds.

“Yield of”

(1) any Investment shall be computed in accordance with Section 1.148-5 of the Regulations, and

(2) the Bonds shall be computed in accordance with Section 1.148-4 of the Regulations.

(b) Not to Cause Interest to Become Taxable. The District shall not use, permit the use of or omit to use Gross Proceeds of the Bonds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which, if made or omitted, respectively, would cause the interest on any Bond to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the District shall have received a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Bond, the District shall comply with each of the specific covenants in this Section.

(c) No Private Use or Private Payments. Except as permitted by Section 141 of the Code and the regulations and rulings thereunder, the District shall, at all times after the Issue Date of any Bond and prior to the last stated maturity of the Bonds

(i) exclusively own, operate, and possess all property the acquisition, construction, or improvement of which is to be financed directly or indirectly with Gross Proceeds of the Bonds (including property financed with Gross Proceeds of the Refunded Bonds) and not use or permit the use of such Gross Proceeds or any property acquired, constructed, or improved with such Gross Proceeds in any activity carried on by any person or entity other than a state or local government, unless such use is solely as a member of the general public, or

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(ii) not directly or indirectly impose or accept any charge or other payment for use of Gross Proceeds of the Bonds or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with such Gross Proceeds (including property financed with Gross Proceeds of the Refunded Bonds) other than taxes of general application and interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

(d) No Private Loan. Except to the extent permitted by Section 141 of the Code and the regulations and rulings thereunder, the District shall not use Gross Proceeds of the Bonds to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, Gross Proceeds are considered to be "loaned" to a person or entity if (1) property acquired, constructed or improved with Gross Proceeds (including property financed with Gross Proceeds of the Refunded Bonds) is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes, (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output, or similar contract or arrangement, or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or such property are otherwise transferred in a transaction which is the economic equivalent of a loan.

(e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the District shall not, at any time prior to the earlier of the final stated maturity or final payment of the Bonds, directly or indirectly invest Gross Proceeds of the Bonds in any Investment (or use such Gross Proceeds to replace money so invested), if as a result of such investment the Yield of all Investments allocated to such Gross Proceeds whether then held or previously disposed of, exceeds the Yield on the Bonds.

(f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the regulations and rulings thereunder, the District shall not take or omit to take any action which would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Code and the regulations and rulings thereunder.

(g) Information Report. The District shall timely file with the Secretary of the Treasury the information required by Section 149(e) of the Code with respect to the Bonds on such forms and in such place as such Secretary may prescribe.

(h) Payment of Rebate Amount. Except to the extent otherwise provided in Section 148(f) of the Code and the regulations and rulings thereunder, the District shall:

(i) account for all Gross Proceeds of the Bonds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of such accounting for at least nine years after the final Computation Date. The District may, however, to the extent permitted by law, commingle Gross Proceeds of the Bonds with other money of the District, provided

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that the District separately accounts for each receipt and expenditure of such Gross Proceeds and the obligations acquired therewith,

(ii) calculate the Rebate Amount with respect to the Bonds not less frequently than each Computation Date, in accordance with rules set forth in Section 148(f) of the Code, Section 1.148-3 of the Regulations, and the rulings thereunder. The District shall maintain a copy of such calculations for at least three years after the final Computation Date,

(iii) as additional consideration for the purchase of the Bonds by the initial purchasers thereof and the loan of the money represented thereby, and in order to induce such purchase by measures designed to ensure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, pay to the United States the amount described in paragraph (2) above at the times, in the installments, to the place, in the manner and accompanied by such forms or other information as is or may be required by Section 148(f) of the Code and the regulations and rulings thereunder, and

(iv) exercise reasonable diligence to assure that no errors are made in the calculations required by paragraph (2) and, if such error is made, to discover and promptly to correct such error within a reasonable amount of time thereafter, including payment to the United States of any interest and any penalty required by the Regulations.

(i) Not to Divert Arbitrage Profits. Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the District shall not, at any time after the Issue Date of the Bonds and prior to the earlier of the final stated maturity or final payment of the Bonds, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection (h) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Bonds not been relevant to either party.

(j) Not Hedge Bonds. The District did not invest more than 50 percent of the Proceeds of the Refunded Bonds, and will not invest more than 50 percent of the proceeds of the Bonds, in Nonpurpose Investments having a guaranteed yield for four years or more. On the Issue Date of the Bonds, the District will reasonably expect, and on the Issue Date of the Refunded Bonds, the District reasonably expected, that at least 85 percent of the Net Sale Proceeds of the Bonds and Refunded Bonds, respectively, would be used to carry out the governmental purpose of such series within three years after the Issue Date of such series.

23. Escrow Agreement. If required, the discharge and defeasance of the Refunded Bonds shall be effectuated pursuant to the terms and provisions of an Escrow Agreement to be entered into by and between the District and the Escrow Agent, the terms and provisions of which are hereby approved, subject to such insertions, additions and modifications as shall be necessary (a) to carry out the program designed for the District by the Underwriters, which shall be certified as to mathematical accuracy by the Report, (b) to maximize the District's present value savings and/or to minimize the District's costs of refunding, (c) to comply with all applicable laws and regulations

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relating to the refunding of the Refunded Bonds and (d) to carry out the other intents and purposes of this Order, and the Chair or Vice Chair is hereby authorized to execute and deliver such Escrow Agreement on behalf of the District in multiple counterparts and the Secretary or the Assistant Secretary is hereby authorized to attest thereto.

24. Purchase of Escrowed Securities. To assure the purchase of the Escrowed Securities referred to in the Escrow Agreement, the Chair or Vice Chair of the Board of Trustees, the Pricing Officer, and the Escrow Agent are hereby authorized to subscribe for, agree to purchase, and purchase obligations which are authorized investments for escrow accounts pursuant to Section 1207.062, Texas Government Code, in such amounts and maturities and bearing interest at such rates as may be provided for in the Report, and to execute any and all subscriptions, purchase agreements, commitments, letters of authorization and other documents necessary to effectuate the foregoing, and any actions heretofore taken for such purpose are hereby ratified and approved.

25. Redemption Prior to Maturity of Refunded Bonds. The District has irrevocably exercised its option to call the bonds of the District for redemption prior to maturity on the dates and at the prices shown on Exhibit A attached to the Officer's Pricing Certificate, and authorized and directed notice of such redemption to be given in accordance with the orders authorizing the issuance of such bonds.

26. Continuing Disclosure Undertaking. (a) Annual Reports. The District will provide annually to the MSRB via the Electronic Municipal Market Access ("EMMA") system at www.emma.msrb.org, (1) within six months after the end of each fiscal year of the District, financial information and operating data with respect to the District of the general type included in the Official Statement in Appendix A (except for the information under "Estimated Overlapping Debt Statement"), and (2) if not provided as part of such financial information and operating data, audited financial statements of the District, when and if available, or as otherwise set forth in the Officer's Pricing Certificate. Any financial statements to be provided shall be (i) prepared in accordance with the accounting principles described in Appendix D to the Official Statement, or such other accounting principles as the District may be required to employ, from time to time, by state law or regulation, and (ii) audited, if the District commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within 12 months after any such fiscal year end, then the District shall file unaudited financial statements within such 12-month period and audited financial statements for the applicable fiscal year, when and if the audit report on such financial statements becomes available.

If the District changes its fiscal year, it will submit a notice of such change to the MSRB, and the date of the new fiscal year end prior to the next date by which the District otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document), if it is available from the MSRB or filed with the SEC.

(b) Event Notices. The District shall submit a notice to the MSRB, in a timely manner (not in excess of ten (10) business days after the occurrence of an event), of any of the following

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events with respect to the Bonds, if such event is material within the meaning of the federal securities laws:

- (i) Principal and interest payment delinquencies;
- (ii) Non-payment related defaults, if material;
- (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (vii) Modifications to rights of holders of the Bonds, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of the District;
- (xiii) The consummation of a merger, consolidation, or acquisition involving the District or the sale of all or substantially all of the assets of the District, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv) Appointment of a successor or additional trustee or the change of name of a trustee, if material.
- (xv) incurrence of a financial obligation of the District, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the District, any of which affect security holders, if material; and
- (xvi) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the District, any of which reflect financial difficulties.

For these purposes, any event described in (xii) in the immediately preceding paragraph is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the District in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the District, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order

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confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the District.

For purposes of (xv) and (xvi) above, the term “financial obligation” means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (iii) guarantee of a debt obligation or any such derivative instrument; provided that “financial obligation” shall not include municipal securities as to which a final official statement (as defined in 15c2-12 Rule) has been provided to the MSRB consistent with the Rule. The District intends the words used in the above clauses (15) and (16) and in the definition of financial obligation above to have the meanings ascribed to them in SEC Release No. 34-83885 dated August 20, 2018.

The District shall notify the MSRB, in a timely manner, of any failure by the District to provide financial information or operating data in accordance with Section 26(a) of this Order by the time required by such Section.

All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(c) Limitations, Disclaimers, and Amendments. The District shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the District remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the District in any event will give notice of any deposit made in accordance with Texas law that causes Bonds no longer to be outstanding.

The provisions of this Section are for the sole benefit of the holders and the beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The District undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the District’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The District does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE DISTRICT BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE DISTRICT, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the District in observing or performing its obligations under this Section shall

comprise a breach of or default under this Order for purposes of any other provision of this Order.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the District under federal and state securities laws.

The provisions of this Section may be amended by the District from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, or status or type of principal payment of the District, if (1) the agreement, as so amended, would have permitted an underwriter to purchase or sell Bonds in the initial primary offering in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the holders of a majority in aggregate amount of the outstanding Bonds consent to such amendment or (b) a person unaffiliated with the District (such as nationally recognized bond counsel) determines that the amendment will not materially impair the interests of the holders and beneficial owners of the Bonds. The District may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds. If any such amendment is made, the District will include in its next annual update an explanation in narrative form of the reasons for the change and its impact on the type of operating data or financial information being provided.

27. Official Statement. The District hereby approves the form and content and distribution of the Preliminary Official Statement prepared in the initial offering and sale of the Bonds and hereby authorizes the preparation of a final Official Statement reflecting the terms of the Bond Purchase Agreement and other relevant information. The use of such final Official Statement by the Underwriters is hereby approved and authorized and the proper officials of the District are authorized to sign such Official Statement.

28. Related Matters. To satisfy in a timely manner all of the District's obligations under this Order and the Bond Purchase Agreement, the Chair or Vice Chair, the Secretary or the Assistant Secretary, and all other appropriate officers and agents of the District are hereby authorized and directed to do any and all things necessary and/or convenient to carry out the terms and purposes of this Order.

29. Power to Revise Form of Documents. Notwithstanding any other provision of this Order, the Chair of the Board is hereby authorized to make or approve such revisions, additions, deletions, and variations to this Order and in the form of the documents attached hereto as exhibits as, in the judgment of the Chair, and in the opinion of Bond Counsel to the District, may be necessary or convenient to carry out or assist in carrying out the purposes of this Order, the Preliminary Official Statement, the final Official Statement, or as may be required for approval of the Bonds by the Attorney General of Texas; provided, however, that any changes to such documents resulting in substantive amendments to the terms and conditions of the Bonds or such documents shall be subject to the prior approval of the Board.

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30. Registrar. The form of agreement setting forth the duties of the Registrar is hereby approved, and the appropriate officials of the District are hereby authorized to execute such agreement for and on behalf of the District.

31. No Personal Liability. No recourse shall be had for payment of the principal of or interest on any Bonds or for any claim based thereon, or on this Order, against any official or employee of the District or any person executing any Bonds.

32. Open Meeting. It is hereby officially found and determined that the meeting at which this Order was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by the Texas Open Meetings Act.

33. Covenants to Maintain Tax Exempt Status.

(a) Definitions. When used in this Section, the following terms have the following meanings:

“Code” means the Internal Revenue Code of 1986, as amended by all legislation, if any, enacted on or before the Issue Date.

“Computation Date” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Gross Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Investment” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Issue Date” for each series or sub-series of the Bonds or other obligations of the District is the respective date on which such series or sub-series of the Bonds or other obligations of the District is delivered against payment therefor.

“Net Sale Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Nonpurpose Investment” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Rebate Amount” has the meaning stated in Section 1.148-3 of the Regulations.

“Regulations” means the temporary or final Income Tax Regulations applicable to the Bonds issued pursuant to Sections 141 through 150 of the Code. Any reference to a section of the Regulations shall also refer to any successor provision to such section hereafter promulgated by the Internal Revenue Service pursuant to Sections 141 through 150 of the Code and applicable to the Bonds.

“Yield of”

(i) any Investment shall be computed in accordance with Section 1.148-5 of the Regulations, and

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(ii) the Bonds shall be computed in accordance with Section 1.148-4 of the Regulations.

(b) Not to Cause Interest to Become Taxable. The District shall not use, permit the use of or omit to use Gross Proceeds of the Bonds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which, if made or omitted, respectively, would cause the interest on any Bond to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the District shall have received a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Bond, the District shall comply with each of the specific covenants in this Section.

(c) No Private Use or Private Payments. Except as permitted by Section 141 of the Code and the regulations and rulings thereunder, the District shall, at all times after the Issue Date of any Bond and prior to the last stated maturity of the Bonds

(i) exclusively own, operate, and possess all property the acquisition, construction, or improvement of which is to be financed directly or indirectly with Gross Proceeds of the Bonds (including property financed with Gross Proceeds of the Refunded Bonds) and not use or permit the use of such Gross Proceeds or any property acquired, constructed, or improved with such Gross Proceeds in any activity carried on by any person or entity other than a state or local government, unless such use is solely as a member of the general public, or

(ii) not directly or indirectly impose or accept any charge or other payment for use of Gross Proceeds of the Bonds or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with such Gross Proceeds (including property financed with Gross Proceeds of the Refunded Bonds) other than taxes of general application and interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

(d) No Private Loan. Except to the extent permitted by Section 141 of the Code and the regulations and rulings thereunder, the District shall not use Gross Proceeds of the Bonds to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, Gross Proceeds are considered to be “loaned” to a person or entity if (1) property acquired, constructed or improved with Gross Proceeds (including property financed with Gross Proceeds of the Refunded Bonds) is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes, (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output, or similar contract or arrangement, or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or such property are otherwise transferred in a transaction which is the economic equivalent of a loan.

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(e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the District shall not, at any time prior to the earlier of the final stated maturity or final payment of the Bonds, directly or indirectly invest Gross Proceeds of the Bonds in any Investment (or use such Gross Proceeds to replace money so invested), if as a result of such investment the Yield of all Investments allocated to such Gross Proceeds whether then held or previously disposed of, exceeds the Yield on the Bonds.

(f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the regulations and rulings thereunder, the District shall not take or omit to take any action which would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Code and the regulations and rulings thereunder.

(g) Information Report. The District shall timely file with the Secretary of the Treasury the information required by Section 149(e) of the Code with respect to the Bonds on such forms and in such place as such Secretary may prescribe.

(h) Payment of Rebate Amount. Except to the extent otherwise provided in Section 148(f) of the Code and the regulations and rulings thereunder, the District shall:

(i) account for all Gross Proceeds of the Bonds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of such accounting for at least nine years after the final Computation Date. The District may, however, to the extent permitted by law, commingle Gross Proceeds of the Bonds with other money of the District, provided that the District separately accounts for each receipt and expenditure of such Gross Proceeds and the obligations acquired therewith,

(ii) calculate the Rebate Amount with respect to the Bonds not less frequently than each Computation Date, in accordance with rules set forth in Section 148(f) of the Code, Section 1.148-3 of the Regulations, and the rulings thereunder. The District shall maintain a copy of such calculations for at least three years after the final Computation Date,

(iii) as additional consideration for the purchase of the Bonds by the initial purchasers thereof and the loan of the money represented thereby, and in order to induce such purchase by measures designed to ensure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, pay to the United States the amount described in paragraph (2) above at the times, in the installments, to the place, in the manner and accompanied by such forms or other information as is or may be required by Section 148(f) of the Code and the regulations and rulings thereunder, and

(iv) exercise reasonable diligence to assure that no errors are made in the calculations required by paragraph (2) and, if such error is made, to

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discover and promptly to correct such error within a reasonable amount of time thereafter, including payment to the United States of any interest and any penalty required by the Regulations.

(i) Not to Divert Arbitrage Profits. Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the District shall not, at any time after the Issue Date of the Bonds and prior to the earlier of the final stated maturity or final payment of the Bonds, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection (h) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Bonds not been relevant to either party.

(j) Not Hedge Bonds. The District did not invest more than 50 percent of the Proceeds of the Refunded Bonds, and will not invest more than 50 percent of the proceeds of the Bonds, in Nonpurpose Investments having a guaranteed yield for four years or more. On the Issue Date of the Bonds, the District will reasonably expect, and on the Issue Date of the Refunded Bonds, the District reasonably expected, that at least 85 percent of the Net Sale Proceeds of the Bonds and Refunded Bonds, respectively, would be used to carry out the governmental purpose of such series within three years after the Issue Date of such series.

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PASSED AND APPROVED this 14th day of December, 2021.

Chair, Board of Trustees
San Jacinto Community College District

ATTEST:

Secretary, Board of Trustees
San Jacinto Community College District

(SEAL)

EXHIBIT A

DISTRICT'S OUTSTANDING BONDS

Limited Tax General Obligation Building and Refunding Bonds, Series 2011
Limited Tax General Obligation, Series 2012
Limited Tax General Obligation Refunding Bonds, Series 2015
Limited Tax General Obligation Buildings Bonds, Series 2016A
Limited Tax General Obligation Refunding Bonds, Series 2016B
Limited Tax General Obligation Refunding Bonds, Series 2016C
Limited Tax General Obligation Building Bonds, Series 2019A
Limited Tax General Obligation Refunding Bonds, Series 2019B
Limited Tax General Obligation Refunding Bonds, Series 2021

Action Item "XIV"
Regular Board Meeting December 14, 2021
Consideration and Approval of Resolution Authorizing the Defeasance of Bonds

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees consider and approve a resolution authorizing the defeasance of bonds, via the deposit of monies to an escrow account to provide for the prepayment of a portion of certain outstanding Limited Tax General Obligation Bonds, not to exceed \$2.925 million (the GO Bonds) and to authorize the Vice Chancellor of Fiscal Affairs to prepare, distribute, and execute all necessary documents and statements related thereto.

BACKGROUND

This action facilitates the repayment of the aforementioned bonds and avoids all future principal and interest payments related thereto.

Maturities selected for defeasance from the GO Bonds are scheduled to mature on February 15, 2023; defeasance of these maturities will eliminate approximately \$2,925,000 of future principal and interest payments. This action will place an estimated \$2,925,000 in escrow with UMB, NA (the Bank/Escrow Agent).

IMPACT OF THIS ACTION

The aggregate deposit of approximately \$2,925,000 will occur on or about February 15, 2022, to an escrow account with the Bank/Escrow Agent and will be held in cash and/or primarily investments in governmental securities. The exact amount of the deposit will vary with the interest rate at the time of deposit. Investments in the escrow will provide the Bank/Escrow Agent with cash flows sufficient to match future payment requirements of the GO Bonds until the February 15, 2023 maturity date of the defeased bonds. This action will not produce any estimated net savings, but it is a key strategy in maintaining a low debt service tax rate.

The recommended action meets all conditions for debt defeasance as included in Policy III.3001.D, Debt Management.

This action, in combination with the refinancing of \$8 million of callable debt, will help offset the debt service tax rate increase required with the planned issue of \$40 million in new bonds in February 2022.

The source of funds to prepay the debt is available surplus unrestricted cash reserves.

ATTACHMENTS

Attachment 1 - Certificate for Resolution and Board Resolution

RESOURCE PERSONNEL

Brenda Hellyer	281-998-6100	brenda.hellyer@sjcd.edu
Teri Zamora	281-998-6306	teri.zamora@sjcd.edu
Carin Hutchins	281-998-6109	carin.hutchins@sjcd.edu

RESOLUTION AUTHORIZING THE DEFEASANCE OF BONDS

WHEREAS, the Board of Trustees (the “Board”) of San Jacinto Community College District (the “District”) previously issued the District’s Limited General Obligation Building & Refunding Bonds, Series 2011, District’s Limited General Obligation Refunding Bonds, Series 2012 and the District’s Limited General Obligation Building Bonds, Series 2015; and

WHEREAS, the District desires to establish a defeasance escrow to defease all or a portion of such bonds identified in **Exhibit A** attached hereto in advance of their scheduled maturities (the “Defeased Bonds”); and

WHEREAS, Chapter 1207, Texas Government Code, authorizes the District to accomplish such defeasance by depositing directly with a paying agent for the Defeased Bonds (or other qualified escrow agent) available funds of the District into an escrow fund (the “Escrow Fund”) in an amount sufficient, after considering investment earnings (if any), to provide for the payment, redemption, or defeasance of all or a portion of the Defeased Bonds, and provides that such deposit shall constitute the making of firm banking and financial arrangements for the discharge and final payment or redemption of the Defeased Bonds; and

WHEREAS, upon such deposit, the Defeased Bonds shall no longer be regarded as being outstanding, except for the purpose of being paid from funds on deposit in the Escrow Fund, and the pledges, liens, trusts, and all other covenants, provisions, terms, and conditions of the order(s) authorizing the issuance of the Defeased Bonds shall be, with respect to the Defeased Bonds, discharged, terminated, and defeased.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE SAN JACINTO COMMUNITY COLLEGE DISTRICT:

Section 1. Defeasance. The Board hereby authorizes the deposit of surplus funds of the District in an amount sufficient, after considering investment earnings (if any), to defease and redeem all or a portion of the Defeased Bonds identified in **Exhibit A** prior to their scheduled maturities; provided, however, that in no event shall the deposit of such funds, in the aggregate, exceed \$5,000,000. The Board hereby authorizes the Chair, Vice Chair, Secretary of the Board, and the Vice Chancellor of Fiscal Affairs (collectively, the “Authorized Officers”) to take all actions necessary, including executing any and all certificates, agreements, and other instruments necessary or appropriate to defease and redeem the Defeased Bonds. Without limiting the generality of the foregoing, the Authorized Officers shall be authorized to select the Defeased Bonds to be redeemed and defeased.

Section 2. Escrow Agreement. The discharge and defeasance of the Defeased Bonds shall be effectuated pursuant to the terms and provisions of an Escrow Agreement to be entered into by and between the District and UMB Bank, N.A., Houston, Texas the “Escrow Agent”), the terms and provisions of which are hereby approved, subject to such insertions, additions and modifications as shall be, in the opinion of the Authorized Officers, necessary (a) to carry out the program designed for the District by PFM Financial Advisors LLC (the “Financial Advisor”), which shall be certified as to mathematical accuracy by the report of Robert Thomas CPA, LLC or another certified public accountant or firm (the “Verification Agent”) thereof (the “Report”),

Attachment 1

(b) to maximize the District's present value savings and/or to minimize the District's costs of defeasing the Defeased Bonds, (c) to comply with all applicable laws and regulations relating to the defeasance of the Defeased Bonds and (d) to carry out the other intents and purposes of this Resolution, and the Authorized Officers are hereby authorized to execute and deliver such Escrow Agreement on behalf of the District in multiple counterparts and the Secretary or the Assistant Secretary of the Board is hereby authorized to attest thereto.

Section 3. Purchase of Escrowed Securities. To assure the purchase of the Escrowed Securities referred to in the Escrow Agreement, the Authorized Officers and the Escrow Agent are hereby authorized to subscribe for, agree to purchase, and purchase obligations which are authorized investments for escrow accounts pursuant to Section 1207.062, Texas Government Code, in such amounts and maturities and bearing interest at such rates as may be provided for in the Report, and to execute any and all subscriptions, purchase agreements, commitments, letters of authorization and other documents necessary to effectuate the foregoing, and any actions heretofore taken for such purpose are hereby ratified and approved.

Section 4. Redemption Prior to Maturity. The Defeased Bonds shall be paid on their respective stated maturity dates or redemption dates. Any Defeased Bonds selected to be redeemed pursuant to this Resolution are hereby called for redemption on the redemption dates shown on **Exhibit A** attached hereto. The District authorizes and directs the Authorized Officers to provide notice of such redemption and a notice of Material Event to be given in accordance with the order(s) authorizing the issuance of the Defeased Bonds.

Section 5. Material Event. The Board hereby approves the filing of a material event notice in accordance with the Securities and Exchange Commission's Rule 15(c)2-12 and the continuing disclosure agreement set forth in the order(s) authorizing the issuance of the Defeased Bonds.

Section 6. Costs and Fees. The Board hereby approves payment from lawfully available District funds of professional fees and expenses of the District's Bond Counsel, the District's Financial Advisor, the Escrow Agent, the Verification Agent, the paying agent/registrar for the Defeased Bonds, and any other party whose services have been determined by the District to be necessary to accomplish the purpose and intent of this Resolution.

Section 7. Open Meeting. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code.

Section 8. Effectiveness. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

[Signature page follows]

Attachment 1

PASSED AND APPROVED this 30th day of November, 2021.

Chair, Board of Trustees
San Jacinto Community College District

ATTEST:

Secretary, Board of Trustees
San Jacinto Community College District

(SEAL)

EXHIBIT A

The Board hereby authorizes the deposit of surplus funds of the District in an amount sufficient, after considering investment earnings (if any), to defease and redeem all or a portion of the Defeased Bonds identified below prior to their scheduled maturities.

Bond	Maturity Date	Interest Rate	Par Amount	Value on Mar 1, 2022
Ltd Tax GO Bldg & Ref Bds Ser 2011, CAB:				
	02/15/2023	4.210%	1,203,741.05	1,869,086.65
	02/15/2023	16.179%	40,000.00	206,852.27
			1,243,741.05	2,075,938.92
Ltd Tax GO Ref Bds Ser 2015, BOND:				
	02/15/2023	5.000%	700,000.00	700,000.00

Action Item “XV”
Regular Board Meeting, December 14, 2021
Consideration of Approval and Rescission of Various
Benefits Policy and Procedures - First Reading (Informational Item)

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve and rescind the following various policies pertaining to benefits as noted below. The Board of Trustees will not vote on this item but is creating awareness that the policies are being considered and input is being gathered.

Proposed Revisions or New Policies:

- Americans with Disabilities Act (*policy number change only*)
- Bereavement Leave
- Court Appearances/Jury Duty
- Educational Advancement Incentive for Full-Time Staff and Administrators (*policy number change only*)
- Employee Assistance Program
- Family and Medical Leave
- Holidays
- Insurance
- Lactation
- Military Leave
- Part-time Retirement Plan
- Personal Business Leave
- Sick Bank
- Sick Leave
- Tuition Reimbursement
- Vacation

Recommendation for Rescission-

- Credit Union Membership (Procedure approved to rescind by the Strategic Leadership Team (SLT), provided to Board of Trustees as Informational Item, no current policy)
- Development Leave – Policy recommended to rescind, no current procedures
- Religious Holidays (Procedure approved to rescind by the SLT, provided to Board of Trustees as Informational Item, no current policy)

BACKGROUND

This action is being requested to update the benefits policies and procedures based on federal and state laws and to reflect the College’s current processes. Certain policies and procedures (as noted above) are being recommended for rescission due to combining with other policies and procedures or they are no longer applicable.

Additionally, this request includes approval to renumber two benefits related policies and procedures that were previously approved by the Board (as noted above).

Action Item “XV”
Regular Board Meeting, December 14, 2021
Consideration of Approval and Rescission of Various
Benefits Policy and Procedures - First Reading (Informational Item)

IMPACT OF THIS ACTION

The updated policy and procedures were sent to the College community on December 9, 2021. Comments will be reviewed and any changes, if appropriate, will be addressed prior to the Board’s second reading of this policy which is anticipated on January 31, 2022.

The associated procedures were developed or revised to support implementation of the policies. These procedures are attached for informational purposes and will not be voted on.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

No budgetary impact.

MONITORING AND REPORTING TIMELINE

The Board will be notified of any changes that require its action.

ATTACHMENTS

Proposed Revisions or New Policies:

- Attachment 1 - Americans with Disabilities Act (*policy number change only*)
- Attachment 2 - Bereavement Leave
- Attachment 3 - Court Appearances/Jury Duty
- Attachment 4 - Educational Advancement Incentive for Full-Time Staff and Administrators (*policy number change only*)
- Attachment 5 - Employee Assistance Program
- Attachment 6 - Family and Medical Leave
- Attachment 7 - Holidays
- Attachment 8 - Insurance
- Attachment 9 - Lactation
- Attachment 10 - Military Leave
- Attachment 11 - Part-time Retirement Plan
- Attachment 12 - Personal Business Leave
- Attachment 13 - Sick Bank
- Attachment 14 - Sick Leave
- Attachment 15 - Tuition Reimbursement
- Attachment 16 - Vacation

Recommendation for Rescission-

- Attachment 17 - Credit Union Membership
- Attachment 18 - Development Leave
- Attachment 19 - Religious Holidays

RESOURCE PERSONNEL

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Proposed Revisions or New Policies

Attachment 1
Americans with Disabilities Act
(policy number change only)

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.A**

Proposed Policy Name: **Americans with Disabilities Act**

Current Policy Number/Name: IV.4000.B, Americans with Disabilities Act

New Procedure Number: **IV.4000.A.a**

Proposed Procedure Name(s): **Americans with Disabilities Act**

Current Procedure Number(s)/Name(s): IV.4000.B.a, Americans with Disabilities Act

Action Recommended for Policy: **Revised policy number only**

Action Recommended for Procedures: **Revised procedure number only**

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

Recommend to organize the entire benefits section policies in alphabetical order so the number for this policy and procedure is being changed from IV.4000.B and IV.4000.B.a to IV.4000.A and IV.4000.A.a.

Policy ~~IV.4000.A~~IV.4000.B, Americans with Disabilities Act

Purpose

The purpose of this policy is to inform employees about how to request an accommodation under the Americans with Disabilities Act (ADA).

Policy

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that protect applicants and employees with disabilities from discrimination. The laws require that employers, when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position, unless doing so causes harm to the individual or others in the workplace or if the accommodation causes undue hardship to the College.

It is the policy of San Jacinto College to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). It is also the College’s policy not to discriminate against qualified individuals with disabilities with regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms and conditions of employment.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Procedures

Procedure ~~IV.4000.A.a~~IV.4000.B.a, Americans with Disabilities Act

Date of Board Approval	<u>Previous Board Approval:</u> This policy became effective as of June 4, 2020 under the Chancellor’s authority granted by the Board under Policy II.2000.A, Policy and Procedure Development, Review, Revision, and Rescission. Permanent affirmation of the change followed the standard policy review process of two readings at regularly scheduled meetings of the Board with approval on August 3, 2020. <u>Next Board Approval Anticipated January 31, 2022</u>
Effective Date	June 4, 2020
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Procedure ~~IV.4000.A.a~~~~IV.4000.B.a~~, Americans with Disabilities Act

Associated Policy

Policy ~~IV.4000.A~~~~IV.4000.B~~, Americans with Disabilities Act

Procedure

San Jacinto College will provide a reasonable accommodation to qualified individuals with a disability so they can perform the essential functions of their jobs, unless doing so causes a direct threat to these individuals or others in the workplace or if the accommodation creates an undue hardship to the College.

Individuals with questions about accommodations under the Americans with Disabilities Act (ADA) may contact HR Benefits.

Any employee requesting an accommodation must submit the request in writing to HRBenefits@sjcd.edu. Upon receiving the accommodation request, HR Benefits will provide the appropriate documentation for the physician or other medical provider to complete. The physician or medical provider will describe what accommodation(s) are needed and the reason for the accommodation(s).

A member of the HR Benefits team will also communicate with the employee to:

1. Conduct an informal, interactive discussion about the essential functions of the job and how the employee's disability limits the ability to perform those functions. The interactive discussion may also include written and/or electronic correspondence.
2. Identify the type(s) of accommodations needed. The employee's preference of accommodation will be considered during the process; however, the College has the right to select an alternative.

The documentation from the physician or other medical professional must be returned within 15 days. Once the documentation has been reviewed, HR Benefits will determine if the employee has an ADA-defined disability requiring reasonable accommodation. Once the College determines an accommodation is required, HR Benefits will select and implement the effective reasonable accommodation(s) as soon as possible. HR Benefits will continue to communicate with the employee to discuss timelines for establishing the accommodation and any possible delays.

HR Benefits will work closely with the employee, the employee's leader, and, when applicable, the Safety department to ensure that the reasonable accommodation has been provided and is effective.

Attachment 1 – Americans with Disabilities Act (procedure number change only)

Date of SLT Approval	May 27, 2020
Effective Date	June 4, 2020
Associated Policy	Policy IV.4000.A <u>Policy IV.4000.B</u> , Americans with Disabilities Act
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 2

Bereavement Leave

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.B**

Proposed Policy Name: **Bereavement Leave**

Current Policy Number/Name: **Policy IV-E-5: Policy on Bereavement Leave**

New Procedure Number: **IV.4000.B.a**

Proposed Procedure Name(s): **Bereavement Leave**

Current Procedure Number(s)/Name(s): **Procedure 4-8: Bereavement Leave**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links:

<https://www.sanjac.edu/policy-iv-e-policies-benefits>

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-bereavement-leave>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Moved the paragraph regarding employee responsibility for notification to the procedure.
 - Changed the amount of paid time off from three (3) days to twenty-four (24) hours.
 - Changed “San Jacinto College” to “The College.”

- Procedure:
 - Added memorial service to reasons an employee can request leave.
 - Added great-grandparents to definition of immediate family.
 - Added great-grandchildren to definition of immediate family.
 - Changed “shall” to “will.”
 - Changed “his or her” to “their.”
 - Removed the comment on requiring documentation.

Current Policy on Bereavement Leave

1. INTRODUCTION:

San Jacinto College provides employees with time off when there is a death in an employee’s immediate family. Refer to Procedure 4-8 for the definition of immediate family.

2. POLICY:

It is the responsibility of the employee to personally call his or her immediate leader when it is necessary to be absent due to a death in the family. The employee may contact the leader via text message or email if the leader has communicated that these methods are acceptable. The employee shall contact the leader before the employee’s shift starts, unless there are extenuating circumstances, in which case the employee shall contact the leader as soon as possible the day of the absence.

Employees are provided with three (3) days of paid time off for making arrangements, settling family affairs, bereavement, and/or attending the funeral or memorial service of a member of the immediate family. If additional time off is needed, an employee may use sick leave or vacation hours, with leader approval.

The College reserves the right to require documentation of the death (e.g., death certificate, obituary, documentation from funeral home).

Policy #:	IV-E-6
Policy Name:	Bereavement Leave
Pages:	1
Adopted Date:	March 2, 1981.
Revision/Reviewed Date:	June 3, 1985; July 11, 1988; September 7, 1993; May 2, 1994 and December 15, 2014
Effective Date:	March 2, 1981; June 3, 1985; July 11, 1988; September 7, 1993; May 2, 1994 and December 16, 2014
Associated Procedure:	4-8-a

Policy IV.4000.B, Bereavement Leave

Purpose

The College provides employees paid time off when there is a death in an employee’s immediate family. Refer to Procedure IV.4000.B.a, Bereavement Leave for the definition of *immediate family*.

Policy

Employees are provided with up to twenty-four (24) hours of paid time off for making arrangements, settling family affairs, bereavement, and/or attending the funeral or memorial service of a member of their immediate family. If additional time off is needed, an employee may use sick, personal, or vacation leave, with leader approval.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.B.a, Bereavement Leave

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-8-a: Bereavement Leave

INTRODUCTION:

This procedure establishes a uniform process for providing paid time off to employees for absences related to the death of immediate family members, in accordance with Policy IV-E-6 Bereavement Leave. Under the College's bereavement leave policy, an employee may be off work with pay to attend the funeral and/or handle matters related to the death of immediate family members.

DEFINITIONS:

“**Immediate family**” is defined as:

- Spouse (husband, wife)
- Children (son, daughter, step-son, step-daughter, son-in-law, daughter-in-law)
- Grandchildren
- Parents (mother, father, step-mother, step-father, mother-in-law, father-in-law) or an individual who stood *in loco parentis** to an employee when the employee was a child
- Parents' siblings (aunts, uncles)
- Siblings (brother, sister, step-brother, step-sister, brother-in-law, sister-in-law)
- Grandparents
- Niece/Nephew

*“*In loco parentis*” is commonly understood to refer to a relationship in which a person has put himself or herself in the situation of a parent by assuming and discharging the obligations of a parent to a child with whom he or she has no legal or biological connection. It exists when an individual intends to take on the role of a parent.

PROCEDURE:

Full-time employees receive three days of bereavement leave per occurrence. If the employee needs more than three days due to extenuating circumstances, the employee’s leader may authorize the employee to use sick leave or vacation hours to cover additional absences. Immediate family members are defined in the Board of Trustees Policy IV-E-6: Policy on Bereavement Leave.

Bereavement leave, which is compensation for time not actually worked, shall not be considered in the calculation of overtime pay.

An employee may request time off to attend a funeral of a relative or other individual not covered by Policy IV-E-6: Policy on Bereavement Leave. The employee may use personal business leave, vacation, or earned comp time for the absence from work. If other forms of paid leave are exhausted or not available, the leave shall be without pay.

Attachment 2 – Bereavement Leave (Current Procedure)

Procedure #:	4-8-a
Procedure Name:	Bereavement Leave
Pages:	2
Adopted Date:	March 2, 1981.
Revision/Review Date:	June 3, 1985; July 11, 1988; September 7, 1993; May 2, 1994 and December 15, 2014
Effective Date:	March 2, 1981; June 3, 1985; July 11, 1988; September 7, 1993; May 2, 1994 and December 16, 2014
Associated Policy:	IV-E-6

Procedure IV.4000.B.a, Bereavement Leave

Associated Policy

Policy IV.4000.B, Bereavement Leave

Purpose

This procedure establishes a uniform process for providing paid time off to employees for absences related to the death of immediate family members, in accordance with Policy IV.4000.B, Bereavement Leave. Under the College's bereavement leave policy, an employee may be off work with pay to attend the funeral, memorial service, or to handle matters related to the death of immediate family members.

Definitions:

“*Immediate family*” is defined as:

- Spouse (husband, wife)
- Children (son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law)
- Grandchildren and great-grandchildren
- Parents (mother, father, stepmother, stepfather, mother-in-law, father-in-law) or an individual who stood in loco parentis* to an employee when the employee was a child
- Parents' siblings (aunt, uncle)
- Siblings (brother, sister, stepbrother, stepsister, brother-in-law, sister-in-law)
- Grandparents and great-grandparents
- Nieces/Nephews

*“*In loco parentis*” is commonly understood to refer to a relationship in which a person has put them self in the situation of a parent by assuming and discharging the obligations of a parent to a child with whom that person has no legal or biological connection. It exists when an individual intends to take on the role of a parent.

Procedures

Full-time employees receive up to twenty-four (24) hours of bereavement leave per occurrence. If the employee needs more than twenty-four (24) hours due to extenuating circumstances, the employee’s leader may authorize the employee to use sick, personal or vacation leave to cover additional absences.

It is the responsibility of the employee to contact their leader personally when it is necessary to be absent due to a death in the family. The employee may contact the leader via text message or email if the leader has communicated that these methods are acceptable. The employee will contact the leader before their scheduled start time, unless there are extenuating circumstances, in which case the employee will contact the leader as soon as possible on the day of the absence.

Bereavement leave, which is compensation for time not actually worked, will not be considered in the calculation of overtime pay.

Attachment 2 – Bereavement Leave (Proposed Procedure)

An employee may request time off to attend a funeral or memorial service of a relative or other individual not covered by this procedure. The employee may use personal leave, vacation leave, or earned compensation time for the absence from work. If all forms of paid leave are exhausted or not available, the leave will be without pay.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.B, Bereavement Leave
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 3

Court Appearances/Jury Duty

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.C**

Proposed Policy Name: **Court Appearances/Jury Duty**

Current Policy Number/Name: **Policy IV-E-10: Policy on Court Appearances**

New Procedure Number: **IV.4000.C.a**

Proposed Procedure Name(s): **Court Appearances/Jury Duty**

Current Procedure Number(s)/Name(s): **Procedure 4-8-c: Court Appearances/Jury Duty**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links:

<https://www.sanjac.edu/policy-iv-e-policies-benefits>

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-court-appearances-jury-duty>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Changed the name of the policy from “Policy on Court Appearances” to “Court Appearances/Jury Duty”
 - Updated language. For example, changed “allowed court appearances” to “manages court appearances.”

- Procedure:
 - Updated language. For example, specified employees as “full-time” employees.

Attachment 3 – Court Appearances (Current Policy)

Current Policy on Any Court Appearances

College personnel who have been summoned for jury duty, subpoenaed as a witness, or directed to attend a legal proceeding of any type as required by the district or any court will be permitted to be absent from their duties with pay and the college will pay for their substitutes, if necessary.

Policy #:	IV-E-10
Policy Name:	Policy on Any Court Appearances
Pages:	1
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	September 7, 1993
Effective Date:	March 2, 1981 and September 7, 1993
Associated Procedure:	<u>4-8-c</u>

Policy IV.4000.C, Court Appearances/Jury Duty

Purpose

The purpose of this policy is to expand on how the College manages employee court appearance absences.

Policy

A full-time employee summoned for jury duty, subpoenaed as a witness, or directed to testify in court proceedings in which the employee is not a party, will be released from their assigned duties as necessary, with no loss of salary or reduction in leave.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.C, Court Appearances/Jury Duty

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-8-c: Court Appearances / Jury Duty

When an employee is summoned for jury duty, subpoenaed as a witness, or attend a legal proceeding of any type as required by the District or any court he or she should inform his or her immediate supervisor as soon as possible. It is the responsibility of the employee to keep the college informed as to his or her status; such as, if he or she is selected, what kind of case, and estimated time off. If the employee is selected for a jury, he or she should contact his or her immediate supervisor on a regular basis to keep him or her informed as to the estimated time for returning to work.

This procedure does not apply when the court appearance is due to the employee's personal business, private practice testimony as an expert witness or when summoned in connection with a suit for which the employee is a party.

If an employee is summoned for jury duty and is dismissed early, he or she should return to work on that day. If the employee is a witness, he or she should only be off from work for the length of time necessary to serve as the witness.

When an employee has jury duty, he/she makes arrangements in advance with his/her supervisor. Faculty should make arrangements for substitutes for the date of the jury duty. If the employee is assigned to a panel and will be absent additional days, he/she should contact his/her supervisor as soon as possible. Upon returning from jury duty, the employee completes a personnel absence report and also turns in a confirmation of jury duty from the court clerk.

An employee working an alternate work schedule will be compensated for the time that corresponds to the employee's scheduled work hours.

Procedure #:	4-8-c
Procedure Name:	Court Appearances / Jury Duty
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	November 1, 2016
Effective Date:	
Associated Policy:	IV-E-10

Procedure IV.4000.C.a, Court Appearances/Jury Duty

Associated Policy

Policy IV.4000.C, Court Appearances/Jury Duty

Procedure

When a full-time employee is summoned for jury duty, subpoenaed as a witness, or directed to testify in court proceedings, the employee should inform their immediate leader as soon as possible. It is the responsibility of the employee to keep the College informed as to their status, such as, if the employee is selected to serve and estimated time off from work. If the employee is selected for a jury, the employee must contact their immediate leader to keep the leader informed regarding the estimated time for returning to work.

If an employee is summoned for jury duty and dismissed early, the employee will be given one hour from the release time to return to work on that day. If the employee is a witness, they should only be off from work for the length of time necessary to serve as the witness.

When employees are summoned for jury duty, they need to make arrangements in advance with their leaders. Faculty should make arrangements for substitutes for the date of jury duty. If the employee is assigned to a jury panel and will be absent additional days, the employee must contact their leader as soon as possible.

An employee returning from a court appearance must provide a copy of the jury duty summons or subpoena and confirmation/release of jury duty from the court clerk to Payroll.

This procedure does not apply when the court appearance is due to the employee's personal business, private practice testimony as an expert witness, or when summoned in connection with a suit for which the employee is a party. In these cases, the employee is required to use vacation or personal leave to cover the absence.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.C, Court Appearances/Jury Duty
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 4

**Educational Advancement
Incentive for Full-Time Staff
and Administrators**

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.D**

Proposed Policy Name: **Educational Advancement Incentive for Full-Time Staff and Administrators**

Current Policy Number/Name: **IV.4000.A., Educational Advancement Incentive for Full-Time Staff and Administrators**

New Procedure Number: **IV.4000.D.a**

Proposed Procedure Name(s): **Educational Advancement Incentive for Full-Time Staff and Administrators**

Current Procedure Number(s)/Name(s): **IV.4000.A.a, Educational Advancement Incentive for Full-Time Staff and Administrators**

Action Recommended for Policy: **Revised policy number only**

Action Recommended for Procedures: **Revised procedure number only**

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

Recommend to organize the entire benefits section policies in alphabetical order so the number for this policy and procedure is being changed from IV.4000.A and IV.4000.A.a to IV.4000.D and IV.4000.D.a.

Attachment 4 - Educational Advancement Incentive for Full-Time Staff and Administrators
(policy number change only)

Policy ~~IV.4000.D~~~~IV.4000.A~~, Educational Advancement Incentive for Full-Time Staff and Administrators

Purpose

To recognize full-time staff and administrators who choose to further their formal education.

Policy

A full-time staff or administrator may receive an incentive for each degree level obtained above that with which they were hired.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure ~~IV.4000.D.a~~~~IV.4000.A.a~~, Educational Advancement Incentive for Full-Time Staff and Administrators

Date of Board Approval	<u>Current Board Approval: January 28, 2019</u> <u>Next Board Approval Anticipated January 31, 2022</u>
Effective Date	January 29, 2019
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Procedure IV.4000.D.a~~IV.4000.A.a~~, Educational Advancement Incentive for Full-Time Staff and Administrators

Associated Policy

Policy IV.4000.DIV.4000.A, Educational Advancement Incentive for Full-Time Staff and Administrators

Procedure

San Jacinto College recognizes the need for employees to improve their job knowledge and skills. To reward employees who choose to further their education, full-time staff and administrators may receive an incentive for each degree level obtained above that with which they were hired. Each employee may only receive one incentive for each degree level (e.g., if an employee receives two Masters Degrees, they will only receive the incentive for the first degree). This procedure does not apply to faculty.*

Employees who are planning to apply for the Educational Advancement Incentive, must notify Human Resources by March 31 of each year. If Human Resources is not notified by the deadline, employees may not be eligible for the incentive payment, as funds are limited.

The degree must be received from a regionally accredited institution of higher education. The Educational Advancement Incentive is contingent upon receipt of official transcripts by Human Resources, directly from the degree-granting institution.

The Educational Advancement Incentive is a one-time payment for each degree level attained and does not become part of the employee's base salary.

- A \$1,500 incentive will be given for receipt of an Associate's Degree.
- A \$2,000 incentive will be given for receipt of a Bachelor's Degree.
- A \$2,500 incentive will be given for receipt of a Master's Degree.
- A \$3,000 incentive will be given for receipt of a Doctoral Degree.

For current employees, the Educational Advancement Incentive will be processed following receipt of official transcripts documenting the degree attained. Official transcripts must be received by Human Resources directly from the institution granting the credit by the published payroll cut-off date in September of each year for payment in November. Transcripts received after the September payroll cut-off date will be processed effective the next fiscal year.

The Educational Advancement Incentive will only be processed for degrees obtained during the fiscal year in which the employee applies for the incentive. The incentive will not be processed retroactively for degrees obtained in previous fiscal years.

Employees anticipating receiving a degree from an accredited institution and thus qualifying for an Educational Advancement Incentive in future years should advise the appropriate leader during the budget planning process for the next fiscal year.

Attachment 4 - Educational Advancement Incentive for Full-Time Staff and Administrators
(procedure number change only)

In order to be eligible for the incentive payment, employees must be employed in a full-time staff or administrator position at the time of payment.

* Faculty should refer to Human Resources Procedure IV.4001.A.b, Faculty Salaries

Date of SLT Approval	November 6, 2018
Effective Date	January 29, 2019
Associated Policy	Policy IV.4000.D <u>IV.4000.A</u> , Educational Advancement Incentive for Full-Time Staff and Administrators
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 5

Employee Assistance Program

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.E**

Proposed Policy Name: **Employee Assistance Program**

Current Policy Number/Name: **N/A**

New Procedure Number: **IV.4000.E.a**

Proposed Procedure Name(s): **Employee Assistance Program**

Current Procedure Number(s)/Name(s): **Procedure 4-7-c: Employee Assistance Program**

Action Recommended for Policy: **New**

Action Recommended for Procedures: **Revised**

Web Links: <https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-7-employee-assistance-program>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - New policy

- Procedure:
 - Moved paragraph regarding the definition of the EAP to the policy.
 - Updated language to state that the EAP also offers webinars and videos.

Policy IV.4000.E, Employee Assistance Program

Purpose

The purpose of this policy is to define the Employee Assistance Program (EAP) and outline the services that are available to full-time employees.

Policy

The College offers an EAP, which provides confidential, professional assistance to full-time employees and their dependents. The EAP provider employs staff with specialized training in many areas, including marital and family counseling, adolescent concerns, depression, legal advice, and drug and alcohol related issues.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.E, Employee Assistance Program

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-7-c: Employee Assistance Program

The College subscribes to an Employee Assistance Program (EAP) that provides **confidential**, professional assistance to help employees and their families resolve problems that affect their personal lives or job performance. The program is strictly confidential and voluntary - it is designed to allow employees or their families to seek help on their own. We have contracted with The University of Texas Employee Assistance Programs whose staff has specialized training in helping people to identify their problems, offer guidance, and locate whatever assistance may be necessary. These problems include, but are not limited to, marital and family difficulties, adolescent problems, depression, legal concerns, financial problems and drug and alcohol related problems. Day and evening appointments are available. Appointments may be scheduled by calling 1-800-346-3549. Brochures relating to the EAP program are located in the Wellness Offices on each campus and the Human Resources Office at District.

Procedure #:	4-7-c
Procedure Name:	Employee Assistance Program
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	
Effective Date:	
Associated Policy:	

Procedure IV.4000.E.a, Employee Assistance Program

Associated Policy

Policy IV.4000.E, Employee Assistance Program

Procedure

The current Employee Assistance Program (EAP) provider for the College is the University of Texas Employee Assistance Program (UTEAP). Appointments for counseling can be scheduled by calling (800) 346-3549 or (713) 500-3327.

UTEAP also provides a work-life website, www.uteap.org, which offers access to free legal forms, such as a Power of Attorney and simple wills, as well as webinars and videos on various topics. Brochures with information about the EAP services available to full-time employees and their dependents are maintained in Human Resources.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.E, Employee Assistance Program
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 6

Family and Medical Leave

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.F**

Proposed Policy Name: **Family and Medical Leave**

Current Policy Number/Name: **N/A**

New Procedure Number: **IV.4000.F.a**

Proposed Procedure Name(s): **Family and Medical Leave**

Current Procedure Number(s)/Name(s): **Procedure 4-8-k: Family and Medical Leave**

Action Recommended for Policy: **New**

Action Recommended for Procedures: **Revised**

Web Links: <https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-family-and-medical-leave>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - New policy

- Procedure:
 - Defined the leave categories that run concurrently with FMLA leave.
 - Updated FMLA qualifying events to reflect the requirements under FMLA legislation.
 - Changed “son or daughter” to “child.”
 - Changed “his or her” to “their.”

Policy IV.4000.F, Family and Medical Leave

Purpose

The Family and Medical Leave Act of 1993 (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees.

Policy

To be eligible for FMLA, an employee must have been employed at the College for at least 12 months, which does not need to be consecutive, and to have worked at least 1,250 hours within the 12-month period preceding the request for leave.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.F, Family and Medical Leave

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-8-k: Family and Medical Leave

FMLA Leave:

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Leave under the Family and Medical Leave Act (FMLA) is unpaid. Employees are required to use their leave time while on FMLA leave; the leave time will run concurrently with the FMLA leave. This rule will apply to all employees on FMLA except those who are receiving workers' compensation benefits. In many instances, an on-the-job injury that qualifies for workers' compensation coverage also will qualify under the FMLA. Under state law, an individual receiving workers' compensation benefits may choose whether to use other paid leave to supplement his or her benefits. Additional information regarding an employee's rights under the FMLA or workers' compensation is available from the Human Resources Office.

Attachment 6 – Family and Medical Leave (Current Procedure)

Procedure #:	4-8-k
Procedure Name:	Family and Medical Leave
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	January 15, 2010
Effective Date:	January 15, 2010
Associated Policy:	<u>IV-E-5</u>

Procedure IV.4000.F.a, Family and Medical Leave

Associated Policy

Policy IV.4000.F, Family and Medical Leave

Procedure

The College is required by federal law to provide up to 12 weeks of unpaid, job-protected leave in accordance with the Family and Medical Leave Act of 1993 (FMLA) to eligible employees for the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the essential functions of their job; or
- For any qualifying exigency arising out of the fact that a spouse, child or parent is a military member on covered active duty or called to covered active-duty status.

Eligible employees are required to use their leave time (sick time, personal business leave, or vacation) concurrently with the FMLA leave. This rule will apply to all employees on FMLA leave except those who are receiving workers' compensation benefits. In many instances, an on-the-job injury that qualifies for workers' compensation coverage will also qualify under FMLA. Under state law, an individual receiving workers' compensation benefits may choose whether to use other paid leave to supplement their benefits.

Military Family Leave Entitlements

Eligible employees with a spouse, child, or parent on active duty or are called to active-duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include:

- Attending certain military events;
- Arranging for alternative childcare;
- Addressing certain financial and legal arrangements;
- Attending certain counseling sessions, and;
- Attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves. This leave entitlement includes:

- Caring for a covered service member who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform their duties;
- Caring for a service member undergoing medical treatment, recuperation, or therapy;

Attachment 6 – Family and Medical Leave (Proposed Procedure)

- Caring for a service member who is in outpatient status, or;
- Caring for a service member who is on the temporary disability retired list.

Additional information regarding an employee’s rights under FMLA is available from Human Resources, Benefits. Information on workers’ compensation is available from Safety, Health, Environmental, and Risk Management (SHERM).

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.F, Family and Medical Leave
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 7

Holidays

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.G**

Proposed Policy Name: **Holidays**

Current Policy Number/Name: **Policy IV-E-11: Policy on Holidays**

New Procedure Number: **IV.4000.G.a**

Proposed Procedure Name(s): **Holidays**

Current Procedure Number(s)/Name(s): **Procedure 4-8-b: Holidays**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links:

<https://www.sanjac.edu/policy-iv-e-policies-benefits>

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-holidays>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Added a statement to include the College’s effort to reasonably accommodate religious beliefs and allowing time off for religious holidays, when possible.
 - Changed “shall” to “will.”

- Procedure:
 - Changed “Easter” to “Spring Holiday.”
 - Added information regarding religious holidays not listed as a College holiday.

Current Policy on Holidays

Holidays for all employees shall be set by the Board each year. Regular full-time employees as defined by the Teacher Retirement System of Texas shall be eligible to be paid for the holiday(s) at their prevailing rate of pay.

Policy #:	IV-E-11
Policy Name:	Policy on Holidays
Pages:	1
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	June 3, 1985; and September 7, 1993
Effective Date:	March 2, 1981; June 3, 1985; and September 7, 1993
Associated Procedure:	<u>4-8-b</u>

Policy IV.4000.G, Holidays

Purpose

The purposed of this policy is to define the College’s holiday policy.

Policy

Holidays for all employees are set by the Board of Trustees each year. Eligible full-time employees will be paid for the holiday(s) at their current rate of pay.

The College makes every reasonable effort to accommodate the religious beliefs of employees, including allowing time off for religious holidays when possible.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.G.a, Holidays

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-8-b: Holidays

The Board of Trustees approves an official calendar, which includes holidays the college will observe each year. The specific dates of the holidays are posted by Human Resources and in other official college publications. Approved holidays include the following:

- Labor Day
- Thanksgiving
- Winter Break
- Martin Luther King, Jr., Day
- Easter
- Spring Break
- Memorial Day
- Independence Day

Holidays will be compensated as an 8-hour day (regardless of the assigned work schedule) or based on the College's summer schedule.

- Memorial Day and Independence Day

Leaders should be fiscally responsible and adjust the schedule accordingly in weeks that contain a holiday, unless there is a departmental need to work the additional hours.

Procedure #:	4-8-b
Procedure Name:	Holidays
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	November 1, 2016
Effective Date:	
Associated Policy:	IV-E-11

Procedure IV.4000.G.a, Holidays

Associated Policy

Policy IV.4000.G, Holidays

Procedure

Eligible full-time employees will be paid for holidays at their current rate of pay. The specific dates of the holidays are listed in the academic calendar. Approved holidays include:

Labor Day	Spring Break
Thanksgiving Break	Spring Holiday
Winter Break	Memorial Day
Martin Luther King, Jr. Day	Independence Day

When an employee requests to observe another federal or religious holiday that is not listed as a College holiday, the employee may use their available personal business leave or vacation leave in order to be paid for this absence.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.G, Holidays
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 8

Insurance

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.H**

Proposed Policy Name: **Insurance**

Current Policy Number/Name: **Procedure IV-E-3: Insurance**

New Procedure Number: **IV.4000.H.a**

Proposed Procedure Name(s): **Insurance**

Current Procedure Number(s)/Name(s): **Procedure 4-7-a: Insurance**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links: <https://www.sanjac.edu/policy-iv-e-policies-benefits>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Removed information regarding the Public Service Act, Title XXII, etc.

- Procedure:
 - Removed specific cost related information.
 - Removed information regarding premiums paid for by The State of Texas.
 - Removed eligibility information.

Current Policy on Insurance

The Texas Insurance Code authorizes group insurance for eligible employees under the terms and conditions established by the Employee Retirement System and the San Jacinto College Board of Trustees. Individuals covered by group coverage will be given the opportunity to continue coverage in The San Jacinto College District's insurance plan when certain qualifying events occur. The requirements governing this continuation of coverage shall be subject to the provisions of the Public Health Service Act, Title XXII, as amended, and the regulations thereof. Copies of the federal rule and regulations are available from the Human Resources Office, San Jacinto College District, 4624 Fairmont Parkway, Suite 106, Pasadena, TX 77504.

Policy #:	IV-E-3
Policy Name:	Policy on Insurance
Pages:	1
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	March 5, 1984; May 5, 1986; July 11, 1988; September 7, 1993; July 7, 2003 and February 5, 2008
Effective Date:	March 2, 1981; March 5, 1984; May 5, 1986; July 11, 1988; September 7, 1993; July 7, 2003 and February 5, 2008
Associated Procedure:	4-7 (Currently under review. Please contact hrbenefits@sjcd.edu with any questions.)

Policy IV.4000.H, Insurance

Policy

The Texas Insurance Code authorizes group insurance for eligible employees under the terms and conditions established by the Employees Retirement System (ERS) and the San Jacinto College Board of Trustees.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.H.a, Insurance

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-7-a: Insurance

As an employee of a higher education institution that participates in the State's insurance program and eligible for participation in the Teacher Retirement System or Optional Retirement Program, you are eligible to enroll in the insurance coverage offered by the College.

The basic insurance plan, for which certain part-time employees are eligible, includes health coverage through the state and basic term life insurance, including \$5,000 term life and \$5,000 of accidental coverage. The basic plan provides coverage only for the employee; it does not include coverage for dependents.

The State of Texas pays the health insurance premiums for full-time employees and half the monthly premiums for their dependents. In addition, the college pays one-half of the remaining monthly premium for a full-time employee's monthly premium obligation for dependent health and dental.

The State pays one-half of the monthly premium for eligible part-time employees for employee/only health coverage under the basic plan with the employee responsible for the other half. In addition, eligible part-time employees may enroll in dependent health coverage and other optional coverage's, including dental, provided satisfactory arrangements have been made for payment of the monthly premiums.

Optional coverage enrollment: An employee may enroll in optional coverages during their initial period of eligibility, their first 31 days of employment. During this 31-day window, the employee may enroll in dental coverage, optional term life insurance, dependent life insurance, voluntary accidental death and dismemberment (AD&D) coverage, short term and long term disability, long term care, vision and legal assistance. Some coverage will require evidence of insurability.

An employee may formally decline health coverage, but will receive no additional pay in lieu of the State premium supplement. Please note: Even if an employee declines health coverage her or she may still enroll in optional coverage.

New employees will be subject to a 90-day health coverage waiting period. During this waiting period, the employee may enroll themselves and/or eligible dependents in a health plan. Once a health plan is selected, health coverage begins on the first day of the month following the 90th day of employment.

For the purposes of determining who is eligible for insurance, the term "employee," as used in this policy, shall mean any person employed by the Board of Trustees of San Jacinto College in any capacity who receives compensation for services rendered and includes all regular full-time employees (designated to work 40 or more hours per week) and certain part-time employees (work more than 20 hours per week, but less than 40, or are qualified adjunct faculty).

All insurance forms should be completed on or before the first day of employment. Payroll deductions are available through the business office for the group health and dental dependent insurance.

Attachment 8 – Insurance (Current Procedure)

Full-time employees are eligible for:

- The full cost of group health and dental insurance premiums for employee only.
- The one-half of dependent coverage premiums not paid by the state for group health and dental insurance.
- The full cost of life insurance at two times the annual salary.
- The full cost of accidental death and dismemberment insurance with a maximum of two times the annual salary.
- The full cost of long-term disability insurance at sixty percent monthly salary with a maximum of \$6,000 per month (commencing the greater of 90 consecutive days or the number of days you are entitled to sick leave).

The State pays half the health insurance premiums for part-time employees and 25% of their dependents' health premium costs. Neither the college nor the state contributes any portion of the premiums for optional coverage for part-time employees.

Employees may participate in the Tex-flex program offered to all employees of public community colleges. This program allows an employee to pay for insurance premiums with pre-tax dollars, pay for child-care expenses with pre-tax dollars and contribute to a medical reimbursement account for out-of-pocket medical expenses.

Procedure #:	4-7-a
Procedure Name:	Insurance
Pages:	2
Adopted Date:	
Revision/Reviewed Date:	
Effective Date:	
Associated Policy:	IV-E-3

Procedure IV.4000.H.a, Insurance

Associated Policy

Policy IV.4000.H, Insurance

Procedure

Employees of a higher education institution that participate in the state's insurance program may elect to enroll in the insurance coverage offered by the Employees Retirement System (ERS).

The health insurance plan, for which all full-time employees and certain part-time employees are eligible, includes medical coverage through the state and basic term life insurance.

Employees may enroll in optional coverage(s) during their initial period of eligibility, which is their first 31 days of employment. During this 31-day window, employees may enroll in dental coverage, optional term life insurance, dependent life insurance, voluntary accidental death and dismemberment (AD&D) coverage, short-term and long-term disability, long-term care, vision, and legal assistance. Some coverage will require evidence of insurability. Changes to coverage can be made during annual enrollment or with a qualifying life event.

New employees have a 60-day health coverage, prescription drug plan, and flexible spending account waiting period. During this waiting period, the employee may enroll themselves and eligible dependents in a health plan. Once a health plan is selected, health coverage begins on the first day of the month following the 60th day of employment. All other benefit coverage elected will be effective on the employee's date of hire.

Health insurance and optional coverages may have portions of the premium covered by the state and/or the College. The employee will be responsible for the remaining cost of the insurance premiums.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.H, Insurance
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 9

Lactation

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.I**

Proposed Policy Name: **Lactation**

Current Policy Number/Name: **N/A**

New Procedure Number: **IV.4000.I.a**

Proposed Procedure Name(s): **Lactation**

Current Procedure Number(s)/Name(s): **Procedure 4-27: Lactation**

Action Recommended for Policy: **New**

Action Recommended for Procedures: **Revised**

Web Links: <https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-27-lactation>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - New Policy

- Procedure:
 - Moved introductory paragraph regarding the purpose of the procedure to the policy.
 - Changed HR Benefits Office to Human Resources, Benefits.
 - Changed “maternity” to “leave of absence.”

Policy IV.4000.I, Lactation

Policy

The purpose of this policy is to provide a process for arranging an appropriate location and a reasonable amount of break time to accommodate employees who are nursing for a period of up to one calendar year after the birth of the nursing child, pursuant to applicable state and federal laws.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.I.a, Lactation

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-27: Lactation

1. INTRODUCTION

The purpose of this procedure is to provide a process for arranging an appropriate location and a reasonable amount of break time to accommodate employees who are nursing for a period of up to one (1) calendar year after the birth of the nursing child, pursuant to applicable state and federal laws.

2. PROCEDURE

- A. Employees should inform their leaders as soon as possible of their intention to continue nursing following maternity leave. Reasonable notice before the employee returns to duty provides the College time to ensure all necessary arrangements are made prior to the employee's return from leave.
- B. Once a leader is notified by an employee of the need for a lactation room, the leader will notify the Human Resources (HR) Benefits group.
- C. HR Benefits will coordinate any logistical requirements needed to provide reasonable accommodations for the nursing employee.
- D. The nursing employee will be allowed a flexible schedule to express milk. For non-exempt employees, the reasonable accommodation ordinarily will consist of additional time in conjunction with the time allowed for lunch or work breaks. Whenever possible, break time for lactation purposes should run concurrently with any break time already provided to the employee. Exempt employees will consult with their leaders to arrange an appropriate schedule. As with non-exempt employees, exempt employees should, when possible, schedule a lactation break concurrently with a lunch period or other scheduled break.
- E. The College will provide a clean, private room that locks (not a public restroom) in reasonable proximity to the work area, where the employee can express milk in privacy. The room will be furnished appropriately and will also have an accessible electrical outlet for the pump.
- F. It is the employee's responsibility to ensure the location is clean after each use.

Attachment 9 – Lactation (Current Procedure)

Procedure #:	4-27
Procedure Name:	Lactation Procedure
Pages	2
Adopted Date:	November 17, 2015
Revision/Reviewed Date:	
Effective Date:	November 17, 2015
Associated Policy:	

Procedure IV.4000.I.a, Lactation

Associated Policy

Policy IV.4000.I, Lactation

Procedure

- A. Employees should inform their leader as soon as possible of their intention to continue nursing following their leave of absence. Reasonable notice before the employee returns to work provides the College time to ensure all necessary arrangements are made prior to the employee’s return from leave.
- B. Once a leader is notified of the need for a lactation room, the leader will notify Human Resources, Benefits.
- C. Human Resources, Benefits will coordinate any logistical requirements needed to provide reasonable accommodations for the nursing employee.
- D. The nursing employee will be allowed a flexible schedule for nursing. For non-exempt employees, the reasonable accommodation will ordinarily consist of additional time in conjunction with the time allowed for lunch or work breaks. Whenever possible, break time for lactation purposes should run concurrent with any break time already provided to the employee. Exempt employees will consult with their leader to arrange an appropriate schedule. As with non-exempt employees, exempt employees should, when possible, schedule a lactation break concurrently with a lunch period or other scheduled break.
- E. The College will provide a clean, private room that locks (not a public restroom) in reasonable proximity to the work area, where the employee can express milk in privacy. The room will be furnished appropriately and will have an accessible electrical outlet for the pump.
- F. It is the employee’s responsibility to ensure the location is clean after each use.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.I, Lactation
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Attachment 9 – Lactation (Proposed Procedure)

Secondary Owner of Vice President, Human Resources
Policy Associated
with the Procedure

Attachment 10

Military Leave

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.J**

Proposed Policy Name: **Military Leave**

Current Policy Number/Name: **Policy IV-E-9: Policy on Military Absence**

New Procedure Number: **IV.4000.J.a**

Proposed Procedure Name(s): **Military Leave**

Current Procedure Number(s)/Name(s): **Procedure 4-8-j: Military Leave**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links:

<https://www.sanjac.edu/policy-iv-e-policies-benefits>

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-military-leave>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Moved all pay related information to the procedure.
 - Added “Texas military service members ordered to state active duty, training, or other duty by a proper state authority are entitled to the same benefits and protections as those found in USERRA and provisions of the federal service members Civil Relief Act (SCRA)”.
 - Changed policy name from Military Absence to Military Leave.

- Procedure:
 - Expanded information on military leave to include requirements on short-term and long-term military leave.
 - Added “An employee that is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team will be granted seven (7) days of paid leave per fiscal year if called to active duty by the governor or authorized appropriate authority in response to a disaster. Employees granted this leave in response to a disaster will not be required to use sick or personal leave” in response to House Bill 1589.

Current Policy on Military Absence

A full-time employee who is a member of the state military forces, or a member of a reserve component of the armed forces, is entitled to leave of absence with full pay for training or active duty when authorized by proper authority. Full paid military leave may not exceed fifteen days per fiscal year. A full-time employee called into service for training or active duty for a period longer than fifteen days due to a local, state or national emergency may receive the difference between military pay and the employee's salary from the end of fifteen days until the end of the fall or spring semester in which he or she is called into military service.

(See Guidelines and Procedures, Section 4-8)

(Effective March 2, 1981; Revised September 7, 1993; Revised December 3, 2001)

Policy #:	IV-E-9
Policy Name:	Policy on Military Leave
Pages:	1
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	September 7, 1993; and December 3, 2001
Effective Date:	March 2, 1981; September 7, 1993; and December 3, 2001
Associated Procedure:	4-8-j

Policy IV.4000.J, Military Leave

Purpose

The purpose of this policy is to outline the College’s administration of military leave in compliance with federal and state regulations.

Policy

Full-time employees of San Jacinto College who are members of the state military forces, or of the reserve components of the United States Armed Forces are entitled to a leave of absence for training and other purposes when authorized by the proper authority. The rights of employees who are members of the United States Armed Forces, National Guard, Texas State Guard, or reserve are detailed in the “Uniformed Service Employment and Re-employment Rights Act of 1994” (USERRA).

Texas military service members ordered to state active duty, training, or other duty by a proper state authority are entitled to the same benefits and protections as those found in USERRA and provisions of the federal Servicemembers Civil Relief Act (SCRA).

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.J.a, Military Leave

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-8-j: Military Leave

Up to fifteen days of military pay per fiscal year will be paid to employees called to active duty for training or other purposes. Military leave need not be consecutive and will be paid in addition to any other paid leaves the employee may be entitled to. The rights of employees who are members of the National Guard or Reserve are detailed in the "Uniformed Services Employment and Re-employment Rights Act of 1994". Advanced notice of military service is required, except when military necessity prevents the giving of notice; or the giving of notice is otherwise impossible or unreasonable.

(Re: Policy IV-E-9; Board of Trustees Policy Manual)

Procedure #:	4-8-j
Procedure Name:	Military Leave
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	
Effective Date:	
Associated Policy:	<u>IV-E-9</u>

Procedure IV.4000.J.a, Military Leave

Associated Policy

Policy IV.4000.J, Military Leave

Procedure

Short-Term Military Leave

Full-time employees of San Jacinto College who are members of the state military forces, National Guard, or of the reserve components of the United States Armed Forces will be granted a leave of absence from their duties when they are engaged in authorized training or duty ordered by the proper authority, not to exceed 15 work days in any one federal fiscal year (October 1st through September 30th). Military leave does not need to be used on consecutive days.

An employee who is a member of the state military forces, National Guard, or the reserve component of the United States Armed Forces will receive full compensation for up to 15 scheduled workdays for regular or duty-ordered training per federal fiscal year. An employee may carry forward from one federal fiscal year to the next the net balance of paid accumulated leave. The balance of leave may not exceed 45 work days.

A copy of the duty papers that specify all required dates of leave must be submitted to Human Resources, Benefits prior to payment.

An employee who is a member of the Texas military forces, a reserve component of the United States Armed Forces, or a member of a state or federally authorized urban search and rescue team will be granted up to seven (7) additional days of paid leave per federal fiscal year if called to active duty by the governor or authorized appropriate authority in response to a disaster.

Employees granted military leave would not be required to use their own sick, personal, or vacation leave.

Long-Term Military Leave

Full-time employees called to active duty due to a local, state, or national emergency for a period longer than the balance of their regular or duty-ordered training may receive the difference between military pay and the employee's salary for up to a period of 60 workdays if the employee's gross military compensation is less than the employee's gross compensation with the College. Advanced notice of active military service is required, except when prevented by military necessity. A copy of the duty papers specifying all required dates of leave, and a document showing compensation amount, must be received by Human Resources, Benefits prior to payment.

Attachment 10 – Military Leave (Proposed Procedure)

Any employee, other than a temporary employee, who leaves their position for the purpose of entering into active duty with the regular or reserve Armed Forces of the United States, or with the National Guard, Texas State Guard or reserve, if discharged, separated, or released from such active duty under honorable conditions within five years from the date of enlistment or call to active service, will be restored to employment in the same position held at the time of induction, enlistment, or order into active service or to a position of like seniority, status, and pay if the employee is physically and mentally qualified to perform the duties of such position.

For insurance-related questions about military leave, employees may see the ERS website at: <https://www.ers.texas.gov/Active-Employees/Retirement/Service-Credit-for-State-of-Texas-Retirement/Military-Service>.

Definitions

Disaster - The occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, cybersecurity event, other public calamity requiring emergency action, or energy emergency.

Energy Emergency - A temporary statewide, regional, or local shortage of petroleum, natural gas, or liquid fuel energy supplies that makes emergency measures necessary to reduce demand or allocate supply.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.J, Military Leave
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 11

Part-Time Retirement Plan

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.K**

Proposed Policy Name: **Part-Time Retirement Plan**

Current Policy Number/Name: **N/A**

New Procedure Number: **IV.4000.K.a**

Proposed Procedure Name(s): **Part-Time Retirement Plan**

Current Procedure Number(s)/Name(s): **Procedure 8-1-c: Retirement Plan**

Action Recommended for Policy: **New**

Action Recommended for Procedures: **Revised**

Web Links: <https://www.sanjac.edu/procedure-8-1-c-retirement-plan>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - New policy

- Procedure:
 - Moved information regarding the Social Security System to the policy.
 - Changed Procedure name from “Retirement Plan” to “Part-Time Retirement Plan.”

Policy IV.4000.K, Part-Time Retirement Plan

Purpose

The College does not participate in Social Security; therefore, the purpose of this policy is to outline the Federal Insurance Contributions Act (FICA) alternative retirement plan for part-time employees.

Policy

The College is required to provide a FICA alternative retirement plan for part-time employees under the federal Omnibus Budget Reconciliation Act of 1990 (OBRA). Additionally, all employees hired beginning May 1, 1986, must also pay the Medicare tax (part of FICA).

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.K, Part-time Retirement Plan

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 8-1-c: Retirement Plan

San Jacinto College does not participate in the Social Security System and employees do not pay social security taxes (FICA). However, employees hired after April, 1986, must pay the Medicare tax (part of FICA). Since we do not participate in Social Security, the College was required to institute a retirement plan for part-time employees under a federal law (OBRA). In general, all part-time employees must be enrolled in the part-time retirement plan and pay the Medicare tax; however, services performed by student employees are exempted if the performance of such services are incident to, and for the purposes of, pursuing a course of study at the school. In other words, student employees do not have to pay the Medicare tax or be in a part-time retirement program.

Procedure #:	8-1-c
Procedure Name:	Retirement Plan
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	
Effective Date:	
Associated Policy:	

Procedure IV.4000.K.a, Part-Time Retirement Plan

Associated Policy

Policy IV.4000.K, Part-Time Retirement Plan

Procedure

Part-time employees must be enrolled in the part-time Federal Insurance Contributions Act (FICA) alternative retirement plan and must pay Medicare taxes. However, services performed by certain student employees are exempt if the performance of such services are incidental to, and for the purposes of, pursuing a course of study at the College. Therefore, certain student employees do not have to pay Medicare taxes or participate in a part-time FICA alternative retirement program.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.K, Part-Time Retirement Plan
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 12

Personal Business Leave

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.L**

Proposed Policy Name: **Personal Business Leave**

Current Policy Number/Name: **Policy IV-E-7: Policy on Personal Business Leave**

New Procedure Number: **IV.4000.L.a**

Proposed Procedure Name(s): **Personal Business Leave**

Current Procedure Number(s)/Name(s): **Procedure 4-8-d: Personal Business Leave**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links:

<https://www.sanjac.edu/policy-iv-e-policies-benefits>

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-personal-business-leave>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Information was removed that is no longer applicable. For example:
 - Submit leave request form
 - Removed the categories that leave could not be used for.

- Procedure Changes:
 - Information was removed that is no longer applicable. For example:
 - Submit leave request form
 - Removed the categories that leave could not be used for.
 - Moved information regarding the purpose of the procedure to the policy.

Current Policy on Personal Business Leave

An eligible employee may be allowed up to 24 hours of sick leave per year for personal business purposes not covered by other paid leave policies of the district. These hours may not be used during faculty in-service, registration, final examination week, or graduation without prior approval from the campus President or appropriate district administrator. All personal business leave will be deducted from the employee's sick leave. Personal business leave may be accounted for by the hour.

An employee seeking personal business leave is responsible for completing a request for leave approval form, obtaining the signature of the appropriate supervisor and submitting the form to the payroll department with the time sheets.

Policy #:	IV-E-7
Policy Name:	Policy on Personal Business Leave
Pages:	1
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	August 9, 1982; February 3, 1992; and May 2, 1994
Effective Date:	March 2, 1981; August 9, 1982; February 3, 1992; and May 2, 1994
Associated Procedure:	4-8-d

Policy IV.4000.L, Personal Business Leave

Purpose

An employee is allowed up to twenty-four (24) hours of leave for those cases of personal business when an employee needs to be off work, but the absence is not covered under sick leave.

Policy

Full-time employees will have twenty-four (24) hours of their sick leave accrual allocated to personal business leave at the beginning of each fiscal year. At the end of the fiscal year, any unused personal business leave will revert back to the employee's sick leave balance.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.L.a, Personal Business Leave

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-8-d: Personal Business Leave

An employee may be allowed up to twenty-four (24) hours of leave per year for personal business purposes not covered by sick leave or other policies. These hours may be used at the discretion of the employee, but not during in-service, registration, final-exam or graduation except by prior approval of the campus president. The personal business hours will be deducted from the employee's sick leave.

This policy is provided for those cases of personal business when an employee needs to be off work, but the absence is not covered under the comprehensive leave policy. An employee seeking personal leave is responsible for completing a request for leave form and submitting the completed form to their supervisor for approval. This should be accomplished at least two days prior to being absent from work, if at all possible. The personal business leave will be deducted from the employee's accumulated sick leave.

Procedure #:	4-8-d
Procedure Name:	Personal Business Leave
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	
Effective Date:	
Associated Policy:	IV-E-7

Procedure IV.4000.L.a, Personal Business Leave

Associated Policy

Policy IV.4000.L, Personal Business Leave

Procedure

Full-time employees will have twenty-four (24) hours of their sick leave accrual allocated to personal business leave at the beginning of each fiscal year. At the end of the fiscal year, any unused personal business leave will revert back to the employee’s sick leave balance.

An employee requesting the use of personal business leave is responsible for obtaining leader approval and for entering the time in the appropriate leave reporting system.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.L, Personal Business Leave
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 13

Sick Bank

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.N**

Proposed Policy Name: **Sick Bank**

Current Policy Number/Name: **N/A**

New Procedure Number: **IV.4000.N.a**

Proposed Procedure Name(s): **Sick Bank**

Current Procedure Number(s)/Name(s): **Procedure 4-9 Sick Leave Bank**

Action Recommended for Policy: **New**

Action Recommended for Procedures: **Revised**

Web Links: <https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-9-sick-leave-bank>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - New policy

- Procedure:
 - Moved the purpose of sick bank to the new policy.
 - Updated wording
 - For example, changed Benefits Office to Human Resources, Benefits
 - Changed terminating employees to exiting employees.
 - Changed the paragraph titled “Catastrophic Illness or Injury” to “Eligibility,” and transitioned information pertaining to catastrophic illness or injury to the beginning of the procedure.
 - Transitioned information on licensed practitioner to definitions.
 - Added “Peace Officers who are required to quarantine or isolate in response to a possible or known exposure to a communicable disease while on duty will receive full pay and benefits for each exposure and subsequent quarantine period” to meet new legislative requirements.

Policy IV.4000.N, Sick Bank

Purpose

The purpose of the College Sick Bank is to provide eligible full-time employees additional sick leave hours in the event of a catastrophic injury or illness to the employee or the employee’s spouse, parent, or child.

Policy

Human Resources, Benefits manages a bank of sick hours for the benefit of employees who have exhausted all available paid leave (sick, personal business leave, vacation, and compensatory time). The hours of Sick Bank that may be available will vary based on the injury or illness.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.N.a, Sick Bank

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-9: Sick Leave Bank

General Provisions

The Human Resource Office will manage a sick leave bank of hours for the benefit of employees who have exhausted all available paid leave. The purpose of the sick leave bank is to provide for a transfer of sick hours as a result of a catastrophic injury or illness to an employee or the employee's spouse, parent or child.

A licensed physician or practitioner must certify a qualifying injury or illness in order to receive consideration for the sick leave bank. Procedures for the administration of the sick leave bank, including donation of hours or the transferring of hours will be the responsibility of the Human Resources Office. The maximum number of sick hours that can be granted to an employee is 160 hours (20 working days) for each catastrophic illness or injury. An employee may be awarded sick leave bank hours only once per fiscal year for each catastrophic illness or injury.

An employee does not have to donate hours to the pool in order to be eligible to use the pool, nor is the employee required to pay back hours taken from the pool.

Purpose

The Sick Leave Bank is a pool of hours available to full-time employees with benefits. An eligible employee may draw sick hours in the event that they suffer a catastrophic injury or illness and have exhausted all of their available accrued leave. The hours of sick leave bank that may be available for pay purposes will vary dependent upon and according to guidelines established by Human Resources.

Catastrophic Injury or Illness

A catastrophic injury or illness is defined as a severe condition or combination of conditions affecting the mental or physical health of the employee or the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all eligible paid leave earned by that employee and to lose compensation from the College for the employee.

(Licensed practitioner means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of his/her license. Immediate family is defined as the eligible employee's parents, spouse or children.)

Donations

Any employee who has accrued 480 or more sick hours may elect to donate hours to the Sick Leave Bank. A maximum of 96 hours may be donated. These hours will be deducted from the employee's sick leave hours. Terminating employees may contribute the balance of their sick leave hours or 96 hours whichever is less.

Eligible employees may contribute hours to the bank during a time designated by Human Resources, generally during the summer months. Hours cannot be donated and specified for a particular employee. Hours may be donated by completing a Donation of Sick Hours application and returning it to the Human Resource Office.

Request For Sick Leave Bank

A "Request for Sick Leave Bank Days" and "Attending Physician's Statement" should be sent to Human Resources as soon as it is known that an employee will be on extended sick leave and will exhaust all leave. When an employee who has been approved for use of hours from the Sick Bank returns to work, any unused hours will revert to the Bank.

An employee receiving a weekly indemnity from Worker's Compensation is not eligible for Sick Leave Bank hours.

Procedure #:	4-9
Procedure Name:	Sick Leave Bank
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	
Effective Date:	
Associated Policy:	

Procedure IV.4000.N.a, Sick Bank

Associated Policy

Policy IV.4000.N, Sick Bank

Procedure

The purpose of the College Sick Bank is to provide eligible full-time employees additional sick leave hours in the event of a catastrophic injury or illness to the employee or the employee's spouse, parent, or child.

A catastrophic injury or illness is a severe condition or combination of conditions affecting the mental or physical health of the employee, or the employee's immediate family member that requires the services of a licensed practitioner. A licensed physician or practitioner must certify a qualifying injury or illness.

The maximum number of sick hours the College will award to an employee is 160 hours (20 working days) for a catastrophic illness or injury.

Eligibility

An employee may be granted Sick Bank hours for a catastrophic illness or injury. Should the employee experience two or more separate catastrophic events in one fiscal year, the employee may be eligible for Sick Bank hours for each event. To qualify as a separate catastrophic event, the injury or illness must be different from the injury or illness that occurred first in the same fiscal year. If an employee has more than one catastrophic event in the same fiscal year, the employee should contact Human Resources, Benefits to determine eligibility.

Police Officers who are required to quarantine or isolate in response to a possible or known exposure to a communicable disease while on duty will receive full pay and benefits for each exposure and subsequent quarantine period. Sick Bank hours will be designated for this leave period.

An employee does not have to donate hours to the Sick Bank to be eligible to receive Sick Bank hours. Employees are also not required to pay back hours taken from the Sick Bank.

Requesting Sick Bank

As soon as it is known that the employee will be on extended sick leave and has exhausted all paid leave, the employee should contact Human Resources, Benefits to obtain a Request for Sick Bank Withdrawal Form.

When an employee who has been approved for Sick Bank hours returns to work, any unused Sick Bank hours will be removed from the employee's leave balance and returned to the Sick Bank.

An employee receiving temporary income benefits from Worker's Compensation is not eligible for Sick Bank hours.

Donations to Sick Bank

Any employee who has accrued 480 sick hours may elect to donate hours to the sick bank. A maximum of 96 hours may be donated each fiscal year. These hours will be deducted from the employee's sick leave hours.

To donate hours to the Sick Bank, an employee should complete a Donation of Sick Hours Form and return it to Human Resources, Benefits.

Exiting employees may contribute the balance of their sick leave hours to the Sick Bank. Hours cannot be donated to a specific employee.

Definitions

Licensed practitioner: is a practitioner as defined in the Texas Insurance Code, who is practicing within the scope of their license.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.N, Sick Bank
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 14

Sick Leave

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.O**

Proposed Policy Name: **Sick Leave**

Current Policy Number/Name: **Policy IV-E-5: Policy on Sick Leave**

New Procedure Number: **IV.4000.O.a**

Proposed Procedure Name(s): **Sick Leave**

Current Procedure Number(s)/Name(s): **Procedure 4-8: Sick Leave**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links:

<https://www.sanjac.edu/policy-iv-e-policies-benefits>

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-sick-leave>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Updated language to direct employees to the sick leave procedure for detailed information about eligibility.

- Procedure:
 - Reformatted the procedure
 - Removed the requirement the employees must take the amount of sick leave that corresponds with their assigned work schedule.
 - Changed Benefits Office to Human Resource, Benefits
 - Updated language
 - For example, changed “his or her” to “their”
 - Removed “non-contracted” from the definition of a full-time employee.
 - Removed “out of the country” from an employee traveling to adopt a child.
 - Added “Police Officers who are required to quarantine or isolate in response to a possible or known exposure to a communicable disease while on duty are eligible to receive paid quarantine leave” to meet new legislative requirements and added a reference to the sick bank procedure for more detailed information.

Attachment 14 – Sick Leave (Current Policy)

Current Policy on Sick Leave

Full-time contracted and non-contracted employees are eligible to receive sick leave. Refer to Procedure 4-8-f for more specific information.

Policy #:	IV-E-5
Policy Name:	Policy on Sick Leave
Pages:	1
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	March 5, 1984; July 11, 1988; September 7, 1993; July 14, 1997; October 14, 1999 and December 15, 2014
Effective Date:	March 2, 1981; March 5, 1984; July 11, 1988; September 7, 1993; July 14, 1997; October 14, 1999 and December 16, 2014
Associated Procedure:	4-8-f and <u>4-8-k</u>

Policy IV.4000.O, Sick Leave

Policy

Full-time employees are eligible to receive sick leave. Sick leave provides paid time off for illness or injury or when the medical condition of the employee prevents the performance of the employee's regularly assigned duties. Sick leave may also be used in cases of illness or injury of the employee's spouse, children, grandchildren, mother, father, mother-in-law, or father-in-law. Refer to the procedure on sick leave for detailed information.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.O.a, Sick Leave

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-8: Sick Leave

1. INTRODUCTION

This procedure specifies the procedures for sick leave as outlined in Policy IV-E-5, Sick Leave.

2. PROCEDURE

Eligibility for Sick Leave:

- Full-time non-contracted employees receive sick leave at a rate of eight hours per month, up to a maximum of 96 hours per year.
- All contracted employees shall be eligible for sick leave at the rate of eight hours per month for his or her contract period, up to a maximum of 96 hours per year. Ten and one-half month employees will receive up to a maximum of 84 hours of sick leave per year, while nine-month employees will receive up to a maximum of 72 hours sick leave per year.
- Twenty-four (24) hours of sick leave are applied to the personal business leave balance each year.
- Full-time faculty with contracts of nine months or ten and one-half months will receive sick leave hours for summer employment based on semester hours taught.
- Nine-month contracted faculty may earn up to a maximum of 24 of sick leave hours for teaching 12 semester hours or more in the summer while not under contract.
- Ten and one-half month contracted faculty may earn up to 12 hours of sick leave for teaching six semester hours or more in the summer while not under contract.

Employees must take the amount of sick leave that corresponds with the assigned work schedule for that day.

The sick leave benefit for the first year of employment is prorated as of the first day of employment.

At the end of the fiscal year, any remaining personal business leave will be rolled into the sick leave balance. Personal business leave is intended for use in cases when an employee needs to be off of work, but the absence is not covered under sick leave.

Transfer of Sick Leave:

An employee of an institution of higher education or public education in Texas who is hired by San Jacinto College may transfer his or her unused accumulated sick leave to the College. The amount of transferred leave is limited to the accumulated balance at the former institution or school of employment or 240 hours, whichever is less. The amount of sick leave balance must be verified by the Benefits Office in the Human Resources Department.

Use of Sick Leave:

Sick leave provides paid time off for illness or injury, including physical disability due to childbirth, or when the medical condition of the employee prevents the performance of the

Attachment 14 – Sick Leave (Current Procedure)

employee's regularly assigned duties. Sick leave may also be used in cases of illness or injury of the employee's spouse, the employee's children, grandchildren, the employee's mother, father, mother-in-law or father-in-law.

Employee Traveling Out Of the Country to Adopt a Child:

An employee who qualifies for unpaid leave for adoption under the Family Medical Leave Act (FMLA) may request paid vacation leave to travel to the country of adoption, or to use up to 24 hours of sick time under the policy on personal business leave.

Once the child is in the employee's custody, accumulated sick leave may be used by the employee for leave with pay to travel back to the United States and/or to care for the new child. Once sick leave and vacation are exhausted, the employee may remain on leave for the balance of the FMLA leave, but without pay. FMLA leave and sick leave run concurrently.

Notification Requirements:

It is the responsibility of the employee to personally call his or her immediate leader when it is necessary to be absent due to illness. It is unacceptable for someone other than the employee to call in unless it is an emergency. The employee may contact the leader via alternative methods such as text message or email if the leader previously approved alternative methods of reporting. The employee shall contact the leader at least one hour before the employee's shift starts, unless, due to extenuating circumstances (such as emergency hospitalization), the employee is physically unable to do so, in which case the employee shall contact the leader as soon as possible. If the employee is off more than one day, the leader and the employee will agree on how often the employee should provide updates on status and probable return-to-work date.

Accumulation of Sick Leave:

Effective August 1, 1988, sick leave may be accumulated for a maximum of 1,280 hours. There will be no accumulation for pay purposes for any sick hours that an employee earns after August 1, 1988.

Leave Accumulated prior to August 1, 1988:

When an employee who was hired prior to August 1, 1988 retires or dies under the terms of the Teacher Retirement System of Texas (TRS) or the Optional Retirement Plan (ORP), the College will pay out up to 800 hours for any sick leave accumulated prior to August 1, 1988. The employee must have completed ten years of continuous employment with the College, broken only for any approved leave granted under board policy. Any interruption in employment for reasons other than leave authorized by board policy will result in loss of all accumulated sick leave. Payment of the accumulated leave will be based on the employee's salary for the fiscal year during which eligibility for payment occurs. If an otherwise eligible employee terminates for reasons other than retirement or death under the terms of TRS or ORP, no payment will be made for accumulated sick hours. For those employees hired prior to August 1, 1988, in the event the absences occur under this sick leave policy, causing hours accumulated for pay to be used as sick leave, those hours shall be lost for any future eligibility for pay. The employee may, however, accumulate more sick hours for sick leave purposes under this policy up to the maximum allowable.

Attachment 14 – Sick Leave (Current Procedure)

For any employee with less than the maximum 800 hours on August 1, 1988, for any future pay consideration, the sick hours for pay are fixed; e.g., an employee with only 256 hours will never have more than 256 hours for pay purposes. The employee would continue to accumulate up to the maximum allowable, but for pay purposes, would never have more than the number of sick hours earned as of August 1, 1988.

Certification of Reason for Leave/Return to Duty

If an employee's absences exceed five consecutive work days and were due to the employee's own health condition, the employee must submit a return-to-work release from his or her licensed health care provider certifying that the employee is able to return to duty. The certification form must be submitted to the Benefits Office in the Human Resources Department before the employee returns to duty; failure to submit the certification form may result in a delay or denial of reinstatement.

If the employee's absences exceed five consecutive work days and were due to a family member's health condition, the employee shall provide documentation from the family member's health provider that substantiates a medical reason for the employee's absence. The documentation need not identify the family member's health condition.

If the absence is for family and medical reasons that are covered by the Family and Medical Leave Act or FMLA, then the certification must comply with the College's FMLA procedure (see Procedure 4-8, Family and Medical Leave).

Extended Absence

In the event an employee requires additional leave beyond what is permitted under this policy or under the FMLA, the employee may request that the College evaluate whether the employee is entitled to extended leave under the Americans with Disabilities Act. The College will determine whether the employee is a qualified individual with a disability under the Americans with Disabilities Act (ADA) and will evaluate whether providing additional leave is a reasonable accommodation under the circumstances. The College may request that the employee provide documentation from his or her health care provider regarding the nature and expected duration of the employee's impairment. The College will determine whether an additional leave of absence would enable the employee to perform the essential functions of the employee's position in the immediate future.

An employee who has a qualifying disability under the ADA and is granted leave as a reasonable accommodation is ordinarily entitled to return to his/her same position. If the employee is not a qualified individual with a disability, or if the College determines that additional leave is not reasonable under the circumstances or would impose an undue hardship, then the College may fill the absent employee's position. If the employee is a qualified individual with a disability and the College is unable to hold the position open, the College will consider whether it has a vacant, equivalent position for which the employee is qualified and can be reassigned. If an equivalent position is not available, the College will determine whether a vacant position at a lower level is available. An employee who is reassigned or transferred to a lower paying position shall receive the salary commensurate with the new position.

If an employee returns to duty after taking a leave of absence, and the employee is unable to perform the essential functions of his job because of a disability, the College will determine

Attachment 14 – Sick Leave (Current Procedure)

whether there is a reasonable accommodation that would enable the employee to remain in his or her current position. Reassignment is the reasonable accommodation of last resort and is required only after it has been determined that there are no effective accommodations that will enable the employee to perform the essential functions of the current position and any other accommodations would impose an undue hardship. The College will evaluate whether there are appropriate vacancies for which the employee is qualified. An employee who is reassigned or transferred to a lower paying position shall receive the salary commensurate with the new position. If no appropriate vacancies will be available within a reasonable amount of time, the employee’s employment may be terminated.

Procedure #:	4-8-f
Procedure Name:	Sick Leave
Pages:	4
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	March 5, 1984; July 11, 1988; September 7, 1993; July 14, 1997; October 14, 1999 and December 15, 2014, November 1, 2016
Effective Date:	March 2, 1981; March 5, 1984; July 11, 1988; September 7, 1993; July 14, 1997; October 14, 1999 and December 16, 2014
Associated Policy:	IV-E-5

Procedure IV.4000.O.a, Sick Leave

Associated Policy

Policy IV.4000.O, Sick Leave

Procedure

Full-time employees are eligible to receive sick leave. Sick leave provides paid time off for illness or injury or when the medical condition of the employee prevents the performance of the employee's regularly assigned duties. Sick leave may also be used in cases of illness or injury of the employee's spouse, children, grandchildren, mother, father, mother-in-law, or father-in-law. The sick leave benefit for the first year of employment is prorated as of the first day of employment.

Full time exempt employees are eligible for sick leave based on the eligibility criteria below:

- Full-time employees receive sick leave at a rate of eight (8) hours per month, up to a maximum of 96 hours per year.
 - All 12-month contracted employees will be eligible for sick leave at the rate of eight hours per month for the contract period, up to a maximum of 96 hours per year.
 - All 10½-month employees will receive up to a maximum of 84 hours of sick leave per year.
 - Nine-month employees will receive up to a maximum of 72 hours sick leave per year.
 - Full-time faculty with contracts of nine months or 10½ months will receive sick leave hours for summer employment based on semester hours taught.
 - Nine-month contracted faculty may earn up to a maximum of 24 sick leave hours for teaching 12 semester hours or more in the summer while not under contract.
 - All 10½-month contracted faculty may earn up to 12 hours of sick leave for teaching six semester hours or more in the summer while not under contract.
 - Police Officers who are required to quarantine or isolate in response to a possible or known exposure to a communicable disease while on duty are eligible to receive paid quarantine leave. Refer to the procedure on Sick Bank for detailed information.

Notification Requirements

It is the responsibility of the employee to call their immediate leader when it is necessary to be absent due to illness or injury. In the event of an emergency, someone other than the employee may call to update the leader of the employee's status. The employee may contact the leader via

alternative methods, such as text message or email, if the leader previously approved alternative methods of reporting. The employee will contact the leader at least one hour before the employee's shift starts, unless, due to extenuating circumstances the employee is physically unable to do so, in which case the employee will contact the leader as soon as possible.

Use of Sick Leave

Twenty-four (24) hours of sick leave are applied to the personal business leave balance at the beginning of each fiscal year. Personal business leave is intended for use in cases when an employee needs to be off work, but the absence is not covered under sick leave. At the end of the fiscal year, any remaining personal business leave will be rolled back into the sick leave balance.

Employee Traveling to Adopt a Child

An employee who qualifies for leave under the Family Medical Leave Act (FMLA) for adoption may request paid vacation leave, or the employee may use up to 24 hours of personal business leave to facilitate the adoption.

Once the child is in the employee's custody, accumulated sick leave may be used by the employee for leave with pay to travel or to care for the adopted child. Once sick leave, personal business leave, and vacation are exhausted, the employee may continue leave for the remaining balance of the FMLA leave, but without pay. FMLA leave and sick leave run concurrently.

Certification of Reason for Leave/Return to Duty

If an employee's absences exceed five consecutive working days and were due to the employee's own health condition, the employee must submit a return-to-work release from the licensed health care provider certifying that the employee is able to return to duty. The certification form must be submitted to Human Resources, Benefits before the employee returns to duty. Failure to submit the certification form may result in a delay or denial of reinstatement.

If the employee's absences exceed five consecutive working days and were due to a family member's health condition, the employee will provide documentation from the family member's health provider that substantiates a medical reason for the employee's absence to care for a family member.

If the absence is for family and medical reasons that are covered by FMLA, then the certification must comply with the College's FMLA procedure (see Procedure <TBD>, Family and Medical Leave).

Extended Absence

In the event an employee requires additional leave beyond what is permitted under this procedure or under FMLA, the employee may request that the College evaluate whether the employee is entitled to extended leave under the Americans with Disabilities Act (ADA). The College will determine whether the employee is a qualified individual with a disability under ADA and will

evaluate whether providing additional leave is a reasonable accommodation under the circumstances. The College may request that the employee provide documentation from their health care provider regarding the nature and expected duration of the employee's impairment. The College will determine whether an additional leave of absence would enable the employee to perform the essential functions of the employee's position in the immediate future.

An employee who has a qualifying disability under ADA and is granted leave as a reasonable accommodation is ordinarily entitled to return to their same position. If the employee is not a qualified individual with a disability, or if the College determines that additional leave is not reasonable under the circumstances, or would impose an undue hardship, then the College may fill the absent employee's position. If the employee is a qualified individual with a disability and the College is unable to hold the position open, the College will consider whether it has a vacant, equivalent position for which the employee is qualified and can be reassigned. If an equivalent position is not available, the College will determine whether a vacant position at a lower level is available. An employee who is reassigned or transferred to a lower paying position will receive the salary commensurate with the new position.

If an employee returns to duty after taking a leave of absence, and the employee is unable to perform the essential functions of their job because of a disability, the College will determine whether a reasonable accommodation is available that would enable the employee to remain in their current position. Reassignment is the reasonable accommodation of last resort and is required only after the College determines that no effective accommodations will enable the employee to perform the essential functions of the current position and any other accommodations would impose an undue hardship. The College will evaluate whether appropriate vacancies exist for which the employee is qualified. An employee who is reassigned or transferred to a lower paying position shall receive the salary commensurate with the new position. If no appropriate vacancies will be available within a reasonable amount of time, the employee's employment may be terminated.

Transfer of Sick Leave

Any employee who is directly transferring from another public institution of higher education in Texas may transfer their unused accumulated sick leave to the College. The amount of transferred leave is limited to the accumulated balance at the former institution or school of employment, or 240 hours, whichever is less. The amount of the sick leave balance to be transferred must be verified by the transferring entity.

Accumulation of Sick Leave:

Effective August 1, 1988, employees may accumulate a maximum of 1,280 hours of sick leave. There will be no accumulation for payout purposes for any sick hours that an employee earns after August 1, 1988.

Leave Accumulated prior to August 1, 1988:

When an employee who was hired prior to August 1, 1988, retires or dies under the terms of the Teacher Retirement System of Texas (TRS) or the Optional Retirement Plan (ORP), the College

Attachment 14 – Sick Leave (Proposed Procedure)

will pay out up to 800 hours for any sick leave accumulated prior to August 1, 1988. The employee must have completed ten years of continuous employment with the College. Any interruption in employment for reasons other than leave authorized by Board policy will result in loss of all accumulated sick leave. Payment of the accumulated leave will be based on the employee's salary for the fiscal year during which eligibility for payment occurs. If an otherwise eligible employee terminates for reasons other than retirement or death under the terms of TRS or ORP, no payment will be made for accumulated sick hours. For those employees hired prior to August 1, 1988, in the event the absences occur under this sick leave policy, causing hours accumulated for pay to be used as sick leave, those hours shall be lost for any future eligibility for pay. The employee may, however, accumulate more sick hours for sick leave purposes under this policy up to the maximum allowable.

For any employee with less than the maximum 800 hours on August 1, 1988, for any future pay consideration, the sick hours for pay are fixed, e.g., an employee with only 256 hours will never have more than 256 hours for pay purposes. The employee would continue to accumulate up to the maximum allowable, but for pay purposes, would never have more than the number of sick hours earned as of August 1, 1988.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.O, Sick Leave
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

Attachment 15

Tuition Reimbursement

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.P**

Proposed Policy Name: **Tuition Reimbursement**

Current Policy Number/Name: **Policy IV-E-16: Tuition Reimbursement**

New Procedure Number: **IV.4000.P.a**

Proposed Procedure Name(s): **Tuition Reimbursement**

Current Procedure Number(s)/Name(s): **Procedure 4-14: Tuition Reimbursement**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links:

<https://www.sanjac.edu/policy-iv-e-policies-benefits>

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-14-payment-tuition-and-fees-benefited-employees>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Updated language. For example, changed “may register for classes at San Jacinto College” to “may request reimbursement for classes taken at San Jacinto College.”

- Procedure:
 - Increased the maximum amount reimbursable per fiscal year from \$1,200 to \$1,800.
 - Removed the maximum budgeted amount of \$50,000 and changed to “...budgeted each fiscal year as authorized by the Board of Trustees.”
 - Removed the Interactive Learning Center and Wellness Programs from the free courses.

Current Policy on Tuition Reimbursement

Full-time benefitted employees, as defined by the Texas Teacher Retirement System, may register for classes at San Jacinto College. Subject to the availability of funds, the college will pay tuition and fees up to \$1200 per fiscal year per qualifying employee.

Policy #:	IV-E-16
Policy Name:	Tuition Reimbursement
Pages:	1
Adopted Date:	May 2, 1994
Revision/Reviewed Date:	September 1, 1997; May 4, 1998; September 13, 1999; December 15, 2014
Effective Date:	May 2, 1994; September 1, 1997; May 4, 1998; September 13, 1999; December 16, 2014
Associated Procedure:	4-14

Policy IV.4000.P, Tuition Reimbursement

Purpose

The purpose of this policy is to define the Tuition Reimbursement process at the College.

Policy

Full-time employees may request reimbursement for classes taken at San Jacinto College. Tuition, books, and fees may be reimbursed up to \$1,800 per fiscal year per employee. Reimbursement is subject to the availability to funds.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.P.a, Tuition Reimbursement

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Current Procedure 4-14: Payment of Tuition and Fees for Benefited Employees

Procedure 4-14: Tuition Reimbursement

1. INTRODUCTION

San Jacinto College will reimburse active, full-time, employees who have completed 6 months of continuous service at the time of enrollment for classes taken at San Jacinto College. Subject to the availability of funds, the College will reimburse tuition and fees up to \$1200 per fiscal year.

2. PROCEDURE

- \$600 reimbursement per employee per reimbursement period, not to exceed \$1200 per fiscal year for one employee. Reimbursement will be allocated and distributed on a first come, first served basis.
- Reimbursement funds will be budgeted in the amount of \$50,000 per fiscal year.
- For credit courses, reimbursement will be paid after classes are completed and a grade of 'C' or better has been awarded. For continuing education courses, reimbursement will be made after classes are completed and the requirements of the class have been mastered or the CEU credits have been awarded.
- Reimbursement **will not** be allowed for auditing courses.
- The cost of books, supplies and fees are covered as long as a receipt for payment is provided.
- Late fees, installment fees and add/drop fees **will not** be reimbursed.
- It is at the discretion of leadership whether an employee may be released during normal working hours to attend a class. The adjusted schedule must account for the total hours required for the employee's position.
- Out of district fees will be waived; however, the Registrar's office must be notified of residency status prior to payment of tuition and fees.
- Funds are **not** available for family members.
- Employee tuition **cannot** be paid or reimbursed from SJC departmental budgets.
- "Free" courses provided through the Interactive Learning Centers or Employee Wellness Programs do **not** fall within this procedure.
- Courses paid for by grants are not eligible for reimbursement under this policy.
- Reimbursements must occur within the fiscal year in which classes are taken.

To receive tuition reimbursement, the following procedures must be followed:

1. An Employee Tuition Reimbursement Form should be completed and submitted to Human Resources as soon as the employee has registered for the course(s). All forms will be logged by date of receipt in an attempt to assess the potential reimbursements requested. As the submitted forms near the allotted dollar limit, the employee will be notified that reimbursement may not occur due to limited funds.

[Click here](#) to access the form.

Attachment 15 – Tuition Reimbursement (Current Procedure)

2. In compliance with the chart shown below, employees must submit grades or CE requirements to Human Resources by the deadline listed.

Reimbursement Period	Deadline to Submit Grades
Period 1	January 15
Period 2	May 17
Period 3	August 15

Grades submitted after the deadline date may not be processed until the next reimbursement period and only if funds are available. The date of the original submission (step 1) and the date of grade submission (step 2) will be considered in determining the order of reimbursement until all available funds are expended. Tuition reimbursement may not cross fiscal years.

Procedure #:	4-14
Procedure Name:	Tuition Reimbursement
Pages:	3
Adopted Date:	April 11, 2003
Revision/Reviewed Date:	July 27, 2004; July 15, 2005; December 15, 2014; and January 29, 2016
Effective Date:	April 11, 2003; July 27, 2004; July 15, 2005; December 16, 2014; and January 29, 2016
Associated Policy:	IV-E-16 Policy on Tuition Reimbursement

Procedure IV.4000.P.a, Tuition Reimbursement

Associated Policy

Policy IV.4000.P, Tuition Reimbursement

Purpose

The College will reimburse active, full-time, employees who have completed six (6) months of continuous service at the time of enrollment for classes taken at San Jacinto College. Subject to the availability of funds, the College will reimburse tuition and related charges up to \$1,800 each fiscal year.

Procedure

- Employees may receive up to \$600 for each reimbursement period, not to exceed \$1,800 each fiscal year. Reimbursement will be allocated and distributed on a first come, first served basis.
- Reimbursement funds will be budgeted each fiscal year or as authorized by the Board of Trustees.
- For credit courses, reimbursement will be paid after classes are completed and a grade of “C” or better has been awarded. For continuing education (CE) courses, reimbursement will be made after classes are completed and the requirements of the class have been mastered or the CE credits have been awarded.
- Reimbursement will not be paid for auditing courses.
- The cost of books, supplies, and related charges are covered as long as a receipt for payment is provided.
- It is at the discretion of leadership whether an employee may be released during normal working hours to attend a class. The adjusted schedule must account for the total hours required for the employee’s position.
- Out-of-district tuition will be waived; however, the Registrar's office must be notified of residency status prior to payment of tuition and any related charges.
- Funds are not available for family members.

Attachment 15 – Tuition Reimbursement (Proposed Procedure)

- Employee tuition cannot be paid or reimbursed from the College’s departmental budgets.
- *Free* courses do not fall within this procedure.
- Courses paid for by grants or scholarships are not eligible for reimbursement under this procedure.
- Reimbursements must occur within the fiscal year in which classes are taken.

To receive tuition reimbursement, employees must follow the following steps:

1. As soon as the employee registers for the course(s), he/she must complete and submit an Employee Tuition Reimbursement Form to Human Resources, Benefits. All forms will be logged by date of receipt to assess the potential reimbursements requested. As the submitted forms near the allotted dollar limit, Human Resources, Benefits will notify the employee that reimbursement may not occur due to limited funds.
2. Employees must submit grades or CE requirements to Human Resources, Benefits by the deadlines listed below:

Reimbursement Period	Deadline to Submit Grades
Period 1	January 15
Period 2	May 17
Period 3	August 15

Grades submitted after the deadline date may not be processed until the next reimbursement period and only if funds are available. The date of the original submission (step 1) and the date of grade submission (step 2) will be considered in determining the order of reimbursement until all available funds are expended. Tuition reimbursement may not cross fiscal years.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.P, Tuition Reimbursement
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner of Vice President, Human Resources
Policy Associated
with the Procedure

Attachment 16

Vacation

Policies and Procedures Summary of Changes

New Policy Number: **IV.4000.Q**

Proposed Policy Name: **Vacation**

Current Policy Number/Name: **Policy IV-V-12: Policy on Vacations**

New Procedure Number: **IV.4000.Q.a**

Proposed Procedure Name(s): **Vacation**

Current Procedure Number(s)/Name(s): **Procedure 4-8-h: Vacation**

Action Recommended for Policy: **Revised**

Action Recommended for Procedures: **Revised**

Web Links:

<https://www.sanjac.edu/policy-iv-e-policies-benefits>

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-vacation>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

Policy

- Removed language regarding non salaried employees.
- Added a new paragraph stating, “full-time employees who take additional periods of time off after grades are submitted or between instructional parts of term and are not required to submit an approved leave code for these periods of time off, excluding holidays, are not eligible to accrue vacation leave.”
- Replaced “contractual employees” with “employees.”

Procedure

- Changed “he or she” to “they or their.”
- Changed “shall” to “will.”
- Changed “president” to “provost.”
- Changed “supervisor” to “leader.”
- Replaced “salaried employees” with “employees.”
- Added clarification to employees of the College to state “who do not take additional time off between the various parts of the term.”
- Removed “for example, an employee earning two weeks of vacation each year may have no more than four weeks on the books at any time; three weeks, six, four weeks, eight, and so on.”

IV-E-12 Policy on Vacations

Twelve-month contractual employees of the college shall be eligible for annual paid vacations per the terms of this policy and administrative procedure or as otherwise approved by the Board and included in the employee's contract. Other salaried employees will accrue vacation days in accordance with the procedure provided by the administration.

Nonsalaried employees and contracted employees whose contracts are for periods of less than 12 months are not eligible for paid vacations.

(See Guidelines and Procedures, Section 4-8)

(Effective March 2, 1981. Revised May 5, 1986; and September 7, 1993; August 1, 1994; July 14, 1997.)

Policy #:	IV-E-12
Policy Name:	Policy on Vacations
Pages:	1
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	May 5, 1986; September 7, 1993; August 1, 1994; and July 14, 1997
Effective Date:	March 2, 1981; May 5, 1986; September 7, 1993; August 1, 1994; and July 14, 1997
Associated Procedure:	4-8-h

Policy IV.4000.Q, Vacation

Purpose

To define the category of full-time employees who are eligible for vacation leave.

Policy

Twelve-month employees of the College will be eligible for annual paid vacations per the terms of this policy and procedure or as approved by the Board of Trustees.

However, full-time employees who take additional periods of time off after grades are submitted or between instructional parts of term and are not required to submit an approved leave code for these periods of time off, excluding holidays, are not eligible to accrue vacation leave.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure IV.4000.Q.a, Vacation

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Vice President, Human Resources

Procedure 4-8-h: Vacation

Salaried employees of the college whose regular employment status covers a period of 12 months are eligible for vacation leave each fiscal year. Additional work assignments or summer employment will not be used to compute earned vacation time, nor will previous part-time or hourly employment be used to compute years of service with the college for vacation purposes. Previous salaried employment with the college will be used to compute years of service for vacation purposes for those employees with a break in service, if the break in service is not longer than one year.

Eligible employees are credited with the total annual vacation accrual at the beginning of each fiscal year. For example, an employee accruing vacation at a rate of 6.67 hours per month will receive 80 hours in September for the up-coming fiscal year. The initial/beginning vacation balance for employees hired during the middle of a fiscal year is pro-rated based on the monthly accrual rate as shown in the following table for the number of months remaining in the fiscal year.

Length Of Service	Vacation Days
First month of employment	6.67 hours per month through 8 years* or 80 hours per year
Beginning 9th year	10 hours per month through 15th year* or 120 hours per year
Beginning of 16th year	13.33 hours per month through 24th year* or 160 hours per year
Beginning 25th year	16.67 hours per month or 200 hours per year *Years of service must be full-time, continuous employment.

The anniversary date for determining the years of service with the college for vacation purposes shall be September 1 of the fiscal year. Those employees whose first date of employment is between September 1 and the first working day of March (inclusive) during a fiscal year shall have an anniversary date of September 1 of that fiscal year. Those employees whose first date of employment is after the first working day of March of a fiscal year will work for the remainder of that fiscal year plus the next fiscal year before receiving credit for one year of service for vacation purposes. On September 1 of the beginning of the ninth year with the college, an employee is eligible for 120 hours of vacation. On September 1 of the beginning of the sixteenth year of service with the college, an employee is eligible for 160 hours of vacation; likewise on September 1 of the beginning of the twenty-fifth year of service with the college, an employee is eligible for 200 hours of vacation.

New employees will receive credit for vacation purposes for their first month of employment only if they come to work the first working day of that month. Otherwise, for calculations of vacation hours, the first working day of the next month will be used. An employee who terminates will receive credit for the final month of employment if the last day worked is on or after the 15th of a month.

Attachment 16 – Vacation (Current Procedure)

Vacation time accrues for each month actually worked. Eligible employees will not receive vacation credit for any month that they are not at work and not drawing a salary from the college.

The scheduling of vacations is a collaborative effort between the employee and supervisor and must be approved by the administration. There will be times when the business needs of the college, registration for example, pre-empts the scheduling of vacations. The administration will post these business times in advance to the extent possible for each business area. Employees may take vacation hours prior to actually having earned them, subject to the approval of their supervisor and the administration. However, they do so with the understanding that if they terminate prior to the end of the fiscal year, unearned vacation time taken will be deducted from his or her last payroll check. Vacation requests in excess of three consecutive weeks, in addition to supervisor and administrative approval, must have prior approval of the campus president or appropriate Vice Chancellor for district employees.

Earned, unused vacation hours may be rolled over from one fiscal year to the next. The maximum amount of vacation accrual an employee may have on the books may not exceed two times the amount eligible to be earned each year. For example, an employee earning two weeks of vacation each year may have no more than four weeks on the books at any time; three weeks six, four weeks eight and so on. Employees may be paid for vacation hours upon termination of employment, the lesser of one year’s accrual for the employee’s years of service or the actual balance of vacation hours at separation. For purposes of vacation guidelines, “actual balance” is defined as carryover from one year to the next, plus current year’s accrual, prorated for the termination date. For example, an employee earning a maximum of two weeks a year may be paid for only two weeks at separation, regardless of vacation hours on the books.

Employees funded by a grant must use all accrued vacation by the end of the grant funding year.

Vacation pay will be calculated at the prevailing work schedule and salary in effect for the employee at the time the vacation is actually taken. Employees who terminate and have unused, accrued vacation time, earned during the current fiscal year, will be paid for that time at their normal rate of pay.

Hourly employees that work for 12 months will not accrue vacation hours.

*The accounting period for vacation is September 1 – August 31 of the fiscal year , the payroll deadline in August is no longer the cut-off for carry-over.

Procedure #:	4-8-h
Procedure Name:	Vacation
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	July 7, 2008
Effective Date:	July 7, 2008
Associated Policy:	<u>IV-E-12</u>

Procedure IV.4000.Q.a, Vacation

Associated Policy

Policy IV.4000.Q, Vacation

Procedure

Employees of the College, who do not take additional time off between the various parts of term, and whose regular employment status covers a period of 12 months are eligible for vacation leave each fiscal year. Additional work assignments or summer employment will not be used to compute earned vacation time nor will previous part-time employment be used to compute years of service with the College for vacation purposes. Previous full-time employment with the College will be used to compute years of service for vacation purposes for those employees with a break in service if the break in service is not longer than one year.

Eligible employees are credited with the total annual vacation accrual at the beginning of each fiscal year. For example, an employee accruing vacation at a rate of 6.67 hours per month will receive 80 hours in September for the fiscal year. The initial/beginning vacation balance for employees hired during the middle of a fiscal year is pro-rated based on the monthly accrual rate as shown in the following table for the number of months remaining in the fiscal year.

Length of Service	Vacation Days
First Month of Employment	6.67 hours per month through 8 th year* or 80 hours per year
Beginning of 9 th year	10 hours per month through 15 th year* or 120 hours per year
Beginning of 16 th year	13.33 hours per month through 24 th year or 160 hours per year
Beginning of 25 th year	16.67 hours per month or 200 hours per year

*Years of service must be full-time, continuous employment.

The anniversary date for determining the years of service with the College for vacation purposes will be September 1 of the fiscal year. Those employees whose first date of employment is between September 1 and the first working day of March (inclusive) during a fiscal year will have an anniversary date of September 1 of that fiscal year. Those employees whose first date of employment is after the first working day of March of a fiscal year will work for the remainder of that fiscal year plus the next fiscal year before receiving credit for one year of service for vacation purposes. On September 1 of the beginning of the ninth year with the College, an employee is eligible for 120 hours of vacation. On September 1 of the beginning of the sixteenth year of service with the College, an employee is eligible for 160 hours of vacation; likewise on

Attachment 16 – Vacation (Proposed Procedure)

September 1 of the beginning of the twenty-fifth year of service with the College, an employee is eligible for 200 hours of vacation.

New employees will receive credit for vacation purposes for their first month of employment only if they physically work the first working day of that month. Otherwise, for calculations of vacation hours, the first working day of the next month will be used. An employee who terminates will receive vacation credit for the final month of employment if the last day worked is on or after the 15th of a month.

Vacation time accrues for each month actually worked. Eligible employees will not receive vacation credit for any month that they are not at work and not using their own leave accruals.

The scheduling of vacations is a collaborative effort between the employee and leader and must be approved by the employee's leader. Times will occur when the business needs of the College, registration for example, affect the scheduling of vacations. Leaders will notify employees about these business times in advance to the extent possible for each business area. Employees may take vacation hours prior to actually having earned them, subject to the approval of their leader. However, they do so with the understanding that if they terminate employment prior to the end of the fiscal year, unearned vacation time taken will be deducted from their last payroll check. Vacation requests in excess of three consecutive weeks, in addition to leadership approval, must have prior approval of the campus Provost or appropriate Vice Chancellor for district employees.

Earned, unused vacation hours may be rolled over from one fiscal year to the next. The maximum amount of vacation accrual an employee may have on the books may not exceed two times the amount eligible to be earned each year. Employees may be paid for vacation hours upon termination of employment, the lesser of one year's accrual for the employee's years of service or the actual balance of vacation hours at separation. For purposes of vacation guidelines, *actual balance* is defined as carryover from one year to the next, plus current year's accrual, prorated for the termination date. For example, an employee earning a maximum of two weeks a year may be paid for only two weeks at separation, regardless of how many vacation hours are shown in the leave balance.

Employees funded by a grant must use all accrued vacation by the end of the grant funding year.

Vacation pay will be calculated at the current work schedule and salary in effect for the employee at the time the vacation is actually taken. Employees who terminate and have unused, accrued vacation time, earned during the current fiscal year, will be paid for that time at their current rate of pay.

Part-time employees that work for 12 months will not accrue vacation hours.

*The accounting period for vacation is September 1 – August 31 of the fiscal year.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy IV.4000.Q, Vacation

Attachment 16 – Vacation (Proposed Procedure)

Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
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Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources
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Recommendation for Rescission

Attachment 17

(Procedure approved to rescind
by the SLT, provided to Board
of Trustees as Informational
Item, no current policy)

Policies and Procedures Summary of Changes

New Policy Number: *N/A*

Proposed Policy Name: **N/A**

Current Policy Number/Name: **N/A**

New Procedure Number: *N/A*

Proposed Procedure Name(s): **N/A**

Current Procedure Number(s)/Name(s): Procedure 4-7: Credit Union Membership

Action Recommended for Policy: **N/A**

Action Recommended for Procedures: **Rescind**

Web Links: <https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-7credit-union-membership>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Procedure:
 - Proposing to rescind Procedure. The College does not have an affiliation with any credit unions; therefore, employees and family members are eligible to join various credit unions in the local community.

Current Procedure 4-7-e: Credit Union Membership

All full-time employees of the College and their immediate family members are eligible for membership in the credit unions associated with the College district. The Galena Park Federal Credit Union and the Gulf Coast Educators Credit Union are both full-service facilities and convenient to most college campuses.

Procedure #:	4-7-e
Procedure Name:	Credit Union Membership
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	
Effective Date:	
Associated Policy:	

Attachment 18

Development Leave

Policy recommended to rescind,
no current procedures

Policies and Procedures Summary of Changes

New Policy Number: *N/A*

Proposed Policy Name: **N/A**

Current Policy Number/Name: **Policy IV-E-8: Policy on Development Leave**

New Procedure Number: *N/A*

Proposed Procedure Name(s): **N/A**

Current Procedure Number(s)/Name(s): **N/A**

Action Recommended for Policy: **Rescind**

Action Recommended for Procedures: **N/A**

Web Links: <https://www.sanjac.edu/policy-iv-e-policies-benefits>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- Policy:
 - Effective with the 2003-2004 school year, the administration suspended the granting of Development Leave indefinitely. As such, this policy is recommended for rescission.

Current Policy on Development Leave

Effective with the 2003-2004 school year, the administration suspended the granting of Development Leave indefinitely.

Faculty development leave is a principle cornerstone for faculty renewal and professional growth. Professional development leaves enable faculty to engage in study, research, writing, field observations and other suitable purposes. Opportunities for additional training, for improving skills and for maintaining currency in the field are understood to be included as a purpose for development leave. To improve further the higher education available to the students of the college, the Board of Trustees may grant full-time faculty a paid leave or sabbatical, or an unpaid professional renewal leave, according to the procedures and guidelines established by the Board.

Policy #:	IV-E-8
Policy Name:	Policy on Development Leave
Pages:	1
Adopted Date:	March 2, 1981
Revision/Reviewed Date:	June 3, 1985; September 7, 1993; April 5, 1999 and February 5, 2008
Effective Date:	March 2, 1981; June 3, 1985; September 7, 1993; April 5, 1999 and February 5, 2008
Associated Procedure:	5-7

Attachment 17

Religious Holidays

(Procedure approved to rescind by the SLT, provided to Board of Trustees as Informational Item, no current policy)

Policies and Procedures Summary of Changes

New Policy Number: *N/A*

Proposed Policy Name: **N/A**

Current Policy Number/Name: **N/A**

New Procedure Number: *N/A*

Proposed Procedure Name(s): **N/A**

Current Procedure Number(s)/Name(s): **Procedure 4-8-e: Religious Holidays**

Action Recommended for Policy: **N/A**

Action Recommended for Procedures: **Rescind**

Web Links: <https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/procedure-4-8-religious-holidays>

Primary Owner: Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Secondary Owner: Vice President, Human Resources

Summary of Changes:

- This information is covered under the policy and procedure on Holidays and does not need a separate procedure. Recommending to rescind this procedure.

Current Procedure 4-8-e: Religious Holidays

The College makes every reasonable effort to accommodate the religious beliefs of its employees. When an employee wishes to observe a religious holiday that is not listed as a college holiday, he/she provides his/her immediate supervisor with a written list of religious holidays to be observed during the semester and a written request for leave. These absences will be paid absences only if they are identified as personal business or vacation absences. Beyond these two absences, personnel are not paid if they are absent from their assignments for religious reasons.

Procedure #:	4-8-e
Procedure Name:	Religious Holidays
Pages:	1
Adopted Date:	
Revision/Reviewed Date:	
Effective Date:	
Associated Policy:	

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve revisions to the College’s Policy on Fixed Assets. The Board of Trustees will not vote on this item but is creating awareness that the policy is being considered and input is being gathered. New numbering will be added prior to the second reading.

BACKGROUND

The current Policy on Fixed Assets (Policy V-Q) requires minor updates for clarification and removes specific details related to processing of fixed assets which are now included in the proposed new Fixed Asset procedures. These new proposed procedures also provide helpful guidance to employees and leaders and ensure consistent practices are followed by all employees.

IMPACT OF THIS ACTION

The updated policy and procedures were sent to the College community on December 9, 2021. Comments will be reviewed and any changes, if appropriate, will be addressed prior to the Board’s second reading of this policy which is anticipated on January 31, 2022.

The associated procedures were developed to support implementation of the policy. These procedures are attached for informational purposes and will not be voted on.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

No budgetary impact.

MONITORING AND REPORTING TIMELINE

The Board will be notified of any changes that require its action. Evaluation of management’s compliance with the Fixed Asset Policy and Procedures will be periodically evaluated by administration and the College’s internal and external auditors.

ATTACHMENTS

- Attachment 1 - Summary of Changes
- Attachment 2 - Policy V-Q, Policy on Fixed Assets (current policy)
- Attachment 3 - Policy #, Fixed Assets (proposed policy)

Informational Item Only:

- Attachment 4 - Procedure #, Fixed Assets (proposed procedure)

RESOURCE PERSONNEL

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Teri Zamora	281-998-6306	teri.zamora@sjcd.edu

Policies and Procedures Summary of Changes

New Policy Number: **TBA**
Proposed Policy Name: **Fixed Assets**
Current Policy Number/Name: **V-Q, Policy on Fixed Assets**

New Procedure Number: **TBA**
Proposed Procedure Name(s): **Fixed Assets**
Current Procedure Number(s)/Name(s): **N/A**

Action Recommended for Policy: **Revised**
Action Recommended for Procedures: **New**

Web Links:
[Policy V-Q: Policy on Fixed Assets](#)

Primary Owner: **Vice Chancellor, Fiscal Affairs**

Secondary Owner: **Associate Vice Chancellor, Finance**

Summary of Changes:

Policy Changes:

- The current Policy on Fixed Assets (V-Q) is outdated and needs minor updates for clarification. In addition, it includes:
 - Updates for required policy format and content
 - Criteria for capitalization
 - Removes details related to useful life and depreciation

New Procedure:

- New procedure encompasses operational aspects of acquiring, accounting and safeguarding fixed assets.

Future Task:

- Fixed Asset Custodian Manual will be updated and housed on the internal webpage.

Policy V-Q: Policy on Fixed Assets

Purpose:

To ensure that the College's fixed assets are acquired, safeguarded, controlled, disposed of and accounted for in accordance with appropriate accounting and regulatory requirements.

Policy Statement:

A fixed asset is defined as an item with a purchase price of \$5,000 or more and a useful life of two or more years. Renovation in excess of \$100,000 to buildings, infrastructure and land improvements that significantly increase the value or extend the useful life of the structure are capitalized. The cost of normal maintenance and repairs that does not add to the value of the asset or materiality extend an asset's life are charged as an operating expense in the year in which the expense is incurred.

Categories:

Fixed assets, which meet the appropriate cost and useful life criteria, are grouped in the following categories:

- Buildings - a structure that is permanently attached to the land, has a roof, is partially or completely enclosed by walls, and is not intended to be transportable or movable.
- Land
- Land Improvements - all improvements to land other than buildings, site preparation that ready land for its intended use, parking lots, fencing and gates, athletic fields, etc.
- Furniture, equipment and vehicle - trucks, vans and cargo vehicles; major equipment, audiovisual equipment, copiers, kitchen equipment
- Telecommunications and Peripherals - computer hardware and related accessories
- Library Books - periodicals, texts, journals, books of reference and other books for use in the library

Inventory:

To ensure that all capitalized assets have been properly recorded and tracked, the District Business Office will conduct an on-going biennial inventory of all fixed assets. The fixed assets in a department will be accounted for/completed every two years, but not all departments will have a physical inventory during the same time of year.

Upon completion of an inventory, a summary of reconciliation items will be presented to the department chair/ administrator for review, comment and resolution.

Depreciation:

All depreciation and amortization calculations use the "straight line" method for all depreciable fixed assets (land and construction-in-progress are not depreciated). The expected useful life of each category of asset is:

Building	50 Years
Land Improvements	20 Years
Library Books	15 Years

Attachment 2 – Current Policy

Furniture, Equipment, and Vehicles	10 Years
Telecommunications and Peripheral Equipment	5 Years

Retirement, Sale, or Disposal of Property:

The College may dispose of surplus property providing that such goods are disposed in accordance with applicable federal, state and local laws.

Policy #:	V-Q
Policy Name:	Policy on Fixed Assets
Pages:	1
Adopted Date:	March 2, 2009
Revision/Reviewed Date:	
Effective Date:	March 2, 2009
Associated Procedure:	

Policy #, Fixed Assets

Purpose

To ensure that the College's fixed assets are acquired, safeguarded, controlled, disposed of, and accounted for in accordance with appropriate accounting and regulatory requirements.

Policy

Fixed assets are expenditures for property, plant, and equipment used by the College that have a useful life of more than a year and cannot easily be converted into cash. Capitalization of expenditures as fixed assets for the College will occur when an item has a useful life of two years or more, and when the cost exceeds \$5,000 or more. The College capitalizes renovations in excess of \$100,000 to buildings, infrastructure, and land improvements that significantly increase the value or extend the useful life of the structure. The cost of normal maintenance and repairs that does not add to the value of the asset or materially extend an asset's life are charged as an operating expense in the year in which the expense is incurred. Major capital projects are recorded as Construction in Progress (CIP) until substantially completed, at which time the College will capitalize these projects as fixed assets.

GENERAL

Categories

Fixed assets, which meet the appropriate cost and useful life criteria, are grouped in the following categories:

- Buildings—a structure that is permanently attached to the land, has a roof, is partially or completely enclosed by walls, and is not intended to be transportable or movable.
- Land—real property acquired by purchase or gift and is characterized by an unlimited useful life.
- Land Improvements—all improvements to land other than buildings, site preparation that ready land for its intended use, parking lots, fencing and gates, athletic fields, etc.
- Furniture, Machinery, Other Equipment, and Vehicles—trucks, vans, and cargo vehicles, major equipment, audiovisual equipment, copiers, kitchen equipment, and instructional equipment.
- Telecommunications and Peripherals—computer hardware and related accessories.
- Library Books—periodicals, texts, journals, books of reference, and other books for use in the library.

Inventory

To ensure that all capitalized assets have been properly recorded and tracked, the District Business Office will conduct an on-going biennial inventory of all fixed assets. The fixed assets in a department will be accounted for/inventoried every two years, but not all departments will have a physical inventory during the same time of year.

Upon completion of an inventory, a summary of reconciliation items will be presented to the Department Chair/administrator for review, comment, and resolution.

Depreciation

The College uses the straight-line method for all depreciation and amortization calculations for all depreciable fixed assets (land and CIP are not depreciated) over the expected useful life of each asset category.

Retirement, Sale, or Disposal of Property

The College may dispose of surplus property provided that such goods are disposed of in accordance with applicable federal, state, and local laws.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedures

Procedure #, Fixed Asset

Date of Board Approval	Anticipated January 31, 2022
Effective Date	Anticipated February 1, 2022
Primary Owner	Vice Chancellor, Fiscal Affairs
Secondary Owner	Associate Vice Chancellor, Finance

Procedure #, Fixed Assets

Associated Policy

Policy #, Fixed Assets

Procedures

San Jacinto College requires amounts expended for facilities and equipment in excess of certain fiscal thresholds to be capitalized and depreciated. These procedures provide guidance for the management and control of capital property owned by the College, titled to the College, under the custody of the College, or for which the College is accountable to the federal government or other sponsors. If direction differs between these procedures and external regulations, sponsor or donor terms, or other internal policy or procedures, the more restrictive instruction will apply.

Fixed Asset System

The Banner Fixed Asset Module is the official system of record for all College capital assets. The Comptroller's Office is responsible for the coordination, development, and implementation of procedures that comprise the College-wide fixed asset system. All communication with the Comptroller's Office should be directed to FixedAssets@sjcd.edu. Department leaders are delegated the responsibility for safeguarding and maintaining the integrity of the assets and are referred to as the Custodians (see section below titled Custodian Responsibilities).

Fixed Asset Criteria

Expenditures are capitalized as fixed assets when both the criteria listed below are met; otherwise, the amounts are expensed in the year incurred:

- a. The item must have a useful life of two years or more, and
- b. The amount must meet the following materiality thresholds: \$5,000 per unit for equipment (including shipping, installation, and any other costs incurred to acquire the asset in full working order), \$100,000 renovation costs for buildings and land improvements/infrastructure that significantly increase the value and extend the useful life of the structure.

If the individual acquisition cost is less than \$5,000 but the total purchase of similar assets is \$100,000 or more, the group of assets should be capitalized.

The specific procedure for capitalizing library book purchases is described in the Asset Category section below.

Repair and Maintenance

Repair and maintenance expenses associated with recurring work required to preserve or immediately restore a facility or a piece of equipment to such condition that it can be effectively used for its designated purposes should be expensed as incurred.

Fixed Asset Purchase

The College follows the same procurement process for the purchase of fixed assets as it does for the purchase of goods and services. To identify capital purchases and record them in the operating ledger, departmental requisitions must use the appropriate capital expense account (741XXX). Expenses coded to one of these accounts will flow through to the Banner Fixed Asset system for further processing by the Comptroller’s Office.

Construction in Progress

Major capital projects, recorded as Construction in Progress (CIP), are tracked by project and once substantially complete, the total expenditures are recoded to capital expense accounts (741XXX) by the Comptroller’s Office. Expenses coded to one of these accounts will flow through to the Banner Fixed Asset system for further processing by the Comptroller’s Office.

Useful Lives—Depreciation

The College begins depreciation the first full month after an asset is placed into service or the first full month after the date a CIP project is closed, fully or partially and placed into service. The College records depreciation each month as a part of the month-end close process performed by the Comptroller’s Office. Land and CIP are not depreciated. The College computes depreciation using the straight-line method over the following estimated useful lives of the asset:

Buildings	50 years
Land improvements	20 years
Library books	15 years
Furniture, machinery, other equipment, and vehicles	10 years
Telecommunications and peripherals	5 years

Asset Tagging/Tracking

The College assigns an asset tag number for all capitalized assets and tracks all capital equipment by specific location, including building and room number, if applicable. The College enters and maintains asset tag numbers in the Banner Fixed Asset system. The Comptroller’s Office issues asset tracking tag numbers, and the Fixed Asset Custodian affixes the tag numbers to the assets.

Custodian Responsibilities

The College designates and trains Fixed Asset Custodians to understand and perform the required duties of the Custodian role. Custodians may delegate tasks, but are ultimately responsible for the following:

- Affix College asset tags to equipment and provide pictures and location of equipment to Comptroller’s Office;
- Know the location of all equipment in their inventory and ensure that equipment is adequately safeguarded and secured from possible theft and other hazards;
- Report all changes in equipment location to the Comptroller’s Office. Reporting changes is critical for proper stewardship and accurate inventory control practices;

- Assure that assigned equipment is utilized for College business purposes only and is located within College property;
- Prepare appropriate forms requesting the transfer or disposal of all equipment;
- Participate in the biennial annual inventory process; and
- Exercise reasonable custodial care over the safeguarding of equipment to prevent the theft and loss of College property.

Annual Inventory

The College conducts a biennial inventory of fixed assets using the Asset Custodian Confirmation process. A sign-off by the Fixed Asset Custodian and another employee as a witness is required on each asset list as outlined in the Fixed Assets Confirmation letter. Transfer documents or other appropriate documentation are required on any discrepancies, allowing the Fixed Asset register to be updated. In addition, the Comptroller's Office spot checks assets, identified based on a risk analysis, on an ongoing basis to supplement the biennial inventory process.

Surplus Property

The College may dispose of surplus property provided that such goods are disposed of in accordance with applicable federal, state, and local laws. Disposal of surplus property is coordinated and managed by Auxiliary Services and the required forms can be found on the College website or from the Auxiliary Services department. The Itemized List for Auction form must be completed and routed for approval and processing. If at some point in the disposal process it is deemed that the fixed asset can be transferred to another department, an Inventory Update/Transfer form will need to be completed from the originating Custodian/department to the updated Custodian/department.

Grant-funded equipment may only be disposed of after permission has been provided by the granting agency and following the awarding agency disposition instructions. Grant equipment provided through federal or state funds must also be disposed of in compliance with Grant Uniform Guidance or OMB Circular A-110/2 CFR 200.313. Collaboration with the Office of Grants Management for disposal of grant funded property is required.

Donations

Acceptance of donations valued at \$30,000 or less from private sources directly to the College is delegated by the Chancellor to members of the Strategic Leadership Team (SLT) based on their respective reporting structure. Acceptance of donations valued at more than \$30,000 require the Chancellor's approval. Donations of real estate require additional approval by the Board of Trustees.

Departmental personnel shall complete the Approval of Donation form and forward the form to the respective SLT member for approval. The form is available on the College website and from the Comptroller's Office. Upon approval, donations will be recorded by the Comptroller's Office, and items with a fair market value of \$5,000 or greater will be recorded as fixed assets and tagged appropriately.

Asset Categories

Land

Land is real property acquired by purchase or gift and is characterized by an unlimited useful life. The value of land purchased includes the amount paid; any costs involving the purchase, such as legal fees and recording fees; and any costs in the preparation of the land for its intended use, such as grading and clearing. The value of land acquired by gift is the fair market value at the time of the gift. Land is not depreciated.

Land Improvements

Other than buildings, all real estate or land improvements fall into this category, which includes parking lots, fencing and gates, athletic fields, fountains, landscaping, etc.

Buildings

Buildings include the cost of permanent structures used in the operations of the institution. This includes any permanently attached fixtures or machinery that cannot be removed without impairing the use of the building. All direct costs of construction are included in the cost of the building.

Building Improvements

Building improvements materially extend the useful life of a building and increase the value of a building. A building improvement should be capitalized as a betterment and recorded as an addition of value to the existing building if the expenditure for the improvement is at the capitalization threshold of \$100,000 and the expenditure increases the useful life or value of the building.

Equipment

Equipment represents personal property that is movable and has an identity that is not altered materially through use. Equipment is further defined into two additional categories:

- Furniture, machinery, other equipment, and vehicles, and
- Telecommunications and peripherals.

Certain items that may be immaterial for capitalization on an individual basis are considered material collectively if the purchases are part of a new building or major renovation. Such determinations will be made by the Comptroller's Office.

Library Books

Library books include all professional, academic, and research library books, as well as other library items. Book collections that are considered works of art are not depreciable. Library

Attachment 4 – Proposed Procedure

acquisitions are valued at cost or other reasonable basis and capitalized when purchases for the year meet the \$5,000 threshold and have a useful life of greater than two years. The general library should maintain records of all books and other library items. These records will suffice as detailed inventory records and will not be duplicated in the Banner Fixed Asset system. Periodicals and subscriptions, including those in electronic form, should be expensed as incurred.

Date of SLT Approval	December 7, 2021
Effective Date	Anticipated February 1, 2022
Associated Policy	Policy #, Fixed Assets
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Fiscal Affairs
Secondary Owner of Policy Associated with the Procedure	Associate Vice Chancellor, Finance

**Action Item “XVII”
Regular Board Meeting December 14, 2021
Authorization to Negotiate and Execute a Settlement
Cause No. 2021-29273; In the District Court of
Harris County, 295th Judicial District**

ADMINISTRATION RECOMMENDATION/REPORT

The Board authorizes the Chancellor to negotiate settlement in Cause No. 2021-29273 on the terms discussed in closed session and to take all further actions needed if settlement is reached, including executing a settlement agreement reflecting these terms.

BACKGROUND

This matter has been discussed with the College’s insurance carrier, United Educators. The administration along with advice from legal counsel believes that a negotiated settlement will be an acceptable resolution to avert the expense and inconvenience of trial. The negotiated settlement will acknowledge that this is a compromise of a disputed claim and is not an admission of liability by either party(ies).

IMPACT OF THIS ACTION

Authorization by the Board of Trustees to the Chancellor to negotiate and execute a settlement will provide for closure and resolution of a pending legal matter prior to trial.

BUDGET INFORMATION

These types of settlement costs are typically not budgeted, but adequate authorized funds can be made available.

MONITORING AND REPORTING TIMELINE

Final documents will be prepared by legal.

ATTACHMENTS

None

RESOURCE PERSONNEL

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**SAN JACINTO COMMUNITY COLLEGE DISTRICT
PURCHASE RECAP
December 14, 2021**

PURCHASE REQUESTS AND CONTRACT RENEWALS

Purchase Request #1	
Contract for Backup Chiller for Transportation Center (pgs. 2-3)	\$ 204,000
Purchase Request #2	
Contract for District Administration HVAC Upgrades (pgs. 4-5)	\$ 719,207
Purchase Request #3	
Contract for Renovation of Building N-19 (pgs. 6-7)	\$ 1,790,000
Purchase Request #4	
Additional Funds for Architectural Services for Generation Park Campus (pg. 8)	\$ 78,000
Purchase Request #5	
Contract for Solar Photovoltaic Systems for Buildings S-7 and S-9 (pgs. 9-10)	\$ 918,000
Purchase Request #6	
Renew the Contract for Printing Services (pg. 11)	\$ 285,000
Purchase Request #7	
Contract for Student Portal Services (pgs. 12-14)	\$ 537,064
Purchase Request #8	
Additional Funds for Computers and Services (pgs. 15-16)	<u>\$ 4,350,000</u>
TOTAL OF PURCHASE REQUESTS	<u><u>\$ 8,881,271</u></u>

Purchase Request #1
Regular Board Meeting December 14, 2021

Consideration of Approval to Contract for Backup Chiller for Transportation Center

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve a contract with Gowan, Inc. for transportation and installation of a backup chiller for the Central Campus Transportation Center.

BACKGROUND

On February 1, 2021, the Board delegated authority to approve the method of procurement for construction projects. On September 23, 2021, the Chancellor's designee approved the competitive sealed proposal (CSP) methodology to procure services to relocate and install air-cooled chillers from the South Campus to the Central Campus Automotive and Career Center. Detailed project plans and specifications were developed by ACR Engineering, Inc. and used as part of the public solicitation package required by Texas Government Code §2269.151.

CSP #22-11 was issued on September 28, 2021 to procure construction services for the chiller relocation and installation project. Five responses were received and evaluated by a team comprised of representatives from capital projects, facilities services, ACR Engineering, and AECOM, the College's program management firm. Evaluation and ranking of the submittals were based on criteria published in the solicitation. Gowan, Inc. received the highest overall score of all the responding firms.

IMPACT OF THIS ACTION

Completion of this project will repurpose an excess asset from the South Campus to provide redundant, part-load chiller capability for the Automotive and Career Center. Marginally reduced operating expense is probable.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

The estimated expenditure for this project is \$204,000 including contingencies and will be funded from the 2015 Bond Program.

MONITORING AND REPORTING TIMELINE

Construction activities will begin upon execution of a contract for services and are expected to be completed by February 2022. The project will be monitored by capital projects personnel with program management provided by AECOM.

ATTACHMENTS

Attachment 1 – Tabulation

RESOURCE PERSONNEL

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Genie Freeman-Scholes	281-998-6348	genevieve.scholes@sjcd.edu

ATTACHMENT NO. 1

**CSP 22-11 Backup Chiller for Transportation Center, C26
Evaluation Summary**

Stated Criteria	Maximum Value	Gowan, Inc.	The Brandt Companies, LLC	Envirotech Mechanical	TDIndustrial, Inc.	Way Engineering LTD
General	75	63.00	63.00	66.00	69.00	46.00
History and Experience	75	72.00	72.00	68.00	63.00	45.00
Safety	45	40.50	40.50	35.50	26.00	37.00
Financial	15	15.00	15.00	15.00	14.00	15.00
Price Proposal	90	88.63	84.35	88.84	88.87	90.00
Total (100 x 3 Evaluators)	300	279.13	274.85	273.34	260.87	233.00

Final Ranking

	Vendor Name	Total Score	Base Price Proposal
1	Gowan, Inc.	279.1	204,000.00
2	The Brandt Companies, LLC	274.9	214,347.00
3	Envirotech Mechanical	273.3	203,500.00
4	TDIndustrial, Inc.	260.9	203,433.00
5	Way Engineering LTD	233.0	200,885.00

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve a contract with The Brandt Companies, LLC for district administration (A1) HVAC upgrades.

BACKGROUND

On February 1, 2021, the Board delegated authority to approve the method of procurement for construction projects. On September 28, 2021, the Chancellor's designee approved the competitive sealed proposal (CSP) methodology to procure upgrades to the district office HVAC system. Detailed project plans and specifications were developed by ACR Engineering, Inc. and used as part of the public solicitation package required by Texas Government Code §2269.151.

CSP #22-12 was issued on October 7, 2021 to procure equipment and services for this project. Three responses were received and evaluated by a team comprised of representatives from capital projects, energy management, ACR Engineering, Inc., and AECOM, the College's program management firm. The evaluation and ranking of the submittals were based on criteria published in the solicitation. The Brandt Companies, LLC received the highest overall score of the three responding firms.

IMPACT OF THIS ACTION

Completion of this project will re-configure HVAC ducting throughout Building A-1, provide new variable air volume control devices with zoned temperature controls, and connect the building to the Building Automation System.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

The estimated total expenditure for this project is \$719,207 including contingency funds and will be funded from the 2008 Bond Program.

MONITORING AND REPORTING TIMELINE

Construction activities will begin upon execution of a contract for services and are expected to be completed by April 2022. This project will be monitored by capital projects/facilities services personnel and program management will be provided by AECOM.

ATTACHMENTS

Attachment 1 – Tabulation

RESOURCE PERSONNEL

Chuck Smith	281-998-6341	charles.smith@sjcd.edu
Genie Freeman-Scholes	281-998-6349	genevieve.scholes@sjcd.edu

ATTACHMENT NO. 1

**CSP 22-12 District Office HVAC Upgrades
Evaluation Summary**

Stated Criteria	Maximum Value	C-Air-S Mechanical	HTX Industrial	The Brandt Companies, LLC
General	75	48.00	49.00	66.00
History and Experience	75	68.00	55.00	56.00
Safety	45	34.00	33.00	40.50
Financial	15	14.00	15.00	15.00
Price Proposal (Base Plus Alternate)	90	90.00	79.50	77.30
Total (100 x 3 Evaluators)	300	254.00	231.50	254.80

Final Ranking

	Vendor Name	Total Score	Total Price
1	The Brandt Companies, LLC	254.8	\$ 719,207
2	C-Air-S Mechanical	254.0	\$ 614,077
3	HTX Industrial	231.5	\$ 725,000

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve a contract with Jamail & Smith Construction LP for the renovation of building N-19.

BACKGROUND

In February 2021, the Board delegated authority to approve the method of procurement for construction projects. On October 4, 2021, the Chancellor's designee approved the competitive sealed proposal (CSP) methodology to procure services to renovate building N-19. Detailed plans and specifications were developed by HKS, Inc. and were included in the documentation package required for public solicitation of construction proposals in accordance with the Texas Government Code §2269.151.

CSP #22-13 was issued on October 21, 2021 to procure construction services for this project. Seven responses were received and evaluated by a team comprised of representatives from capital projects, AECOM, the College's program management firm, and HKS, Inc., the architect for the project. The evaluation and ranking of the submittals were based on criteria published in the solicitation. Jamail & Smith Construction LP received the highest overall score of the responding firms.

IMPACT OF THIS ACTION

Award of this contract will allow the conversion of Building N-19 to be used as a general services facility, supporting facilities services, auxiliary services, and local campus storage needs. This will greatly improve the quality of the workspace available for College use.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

The estimated expenditure for this project will not exceed \$1,790,000 including contingency funds and will be funded from the 2015 Bond Program.

MONITORING AND REPORTING TIMELINE

Construction activities will begin upon execution of a contract for services and are expected to be completed during the 2022 calendar year. This project will be monitored by capital projects personnel with program management provided by AECOM.

ATTACHMENTS

Attachment 1 – Tabulation

RESOURCE PERSONNEL

Chuck Smith	281-998-6341	charles.smith@sjcd.edu
Genie Freeman-Scholes	281-998-6349	genevieve.scholes@sjcd.edu

ATTACHMENT NO. 1

**CSP 22-13 N.19 Construction Renovations
Evaluation Summary**

Stated Criteria	Max. Value	FMG Construction Group, LLC	Nash Industries Inc	Frost Construction Company, Inc.	Jamail & Smith Construction LP	HTX Industrial	Construction Masters of Houston, Inc.	Sterling Structures
General	75	55.00	57.00	49.00	62.00	47.00	54.00	57.00
History and Experience	75	54.00	67.00	55.00	65.00	45.00	60.00	61.00
Safety	45	24.00	24.00	18.00	25.00	24.00	15.00	27.00
Financial	15	24.50	20.30	24.50	24.80	24.80	25.50	19.50
Price Proposal	90	90.00	78.90	78.40	77.90	76.20	71.50	69.80
Total (100 x 3 Evaluators)	300	247.50	247.20	224.90	254.70	217.00	226.00	234.30

Final Ranking

	Vendor Name	Total Score	Base Proposal
1	Jamail & Smith Construction LP	254.70	\$ 1,790,000
2	FMG Construction Group, LLC	247.50	\$ 1,550,000
3	Nash Industries Inc	247.20	\$ 1,769,000
4	Sterling Structures	234.30	\$ 1,999,000
5	Construction Masters of Houston, Inc.	226.00	\$ 1,951,000
6	Frost Construction Company, Inc.	224.90	\$ 1,780,000
7	HTX Industrial	217.00	\$ 1,830,000

Purchase Request #4
Regular Board Meeting December 14, 2021
Consideration of Additional Funds for Architectural Services for
Generation Park Campus

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve the expenditure of additional funds for architectural services from Page Southerland Page, Inc. (Page) for the continued development of the Generation Park Campus.

BACKGROUND

In June 2016, the Board approved a pool of architects for 2015 Bond projects selected through a request for qualifications process, #16-15. Architectural services are classified as professional services pursuant to Texas Government Code Section 2254 and are awarded based on the firm's qualifications relative to the project. Page was the architect selected to develop the site plan and design of the initial building at the campus. In April 2020, the Board approved a contract with Page to design the additional parking lot at Generation Park. In October 2021, additions were made to the contract for the development of a roadway concept and cost estimate, as well as renderings and a site model. At that time, it was indicated that design development and construction documentation would be submitted as a separate proposal for later approval.

IMPACT OF THIS ACTION

Approval of this request will complete the approved development of Generation Park by providing the solicitation package for a traffic connection to the newly completed West Lake Houston Parkway, combined with the previously approved pedestrian improvements to the detention structure.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

In October 2021, the Board approved a total of \$330,000 for architectural services including reimbursables. This request will increase the total contract value by \$78,000 for a total of \$408,000. This expenditure will be funded from the 2015 Bond Program budget previously approved for the development of the Generation Park Campus.

MONITORING AND REPORTING TIMELINE

The additional architectural design is scheduled to begin upon approval. This project will be monitored by capital projects personnel with program management provided by AECOM.

ATTACHMENTS

None

RESOURCE PERSONNEL

Charles Smith	281-998-6341	charles.smith@sjcd.edu
Genevieve Freeman-Scholes	281-998-6348	genevieve.scholes@sjcd.edu

Purchase Request #5
Regular Board Meeting December 14, 2021
Consideration of Approval to Contract for Solar Photovoltaic Systems for
Buildings S-7 and S-9

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve the design and construction of a solar photovoltaic electricity generation system from Sunfinity Renewable Energy, LLC to be constructed on the S-7 and S-9 buildings following the re-roofing of each building.

BACKGROUND

In 2019, the College began evaluating the potential to include distributed solar photovoltaic (PV) electricity generation capacity in the College's energy portfolio. Solar PV was determined to have a positive return on investment. Sunfinity Renewable Energy was initially introduced to the College through a contractor led competitive selection process for the College on the Central Campus Classroom Building, and the College has continued to leverage this source for follow-on developments.

Sunfinity Renewable Energy, LLC has a contract through The Interlocal Purchasing System (TIPS) cooperative contracts program to provide renewable energy and solar solutions and services, contract # 21020301. This complies with the competitive procurement requirements in Texas Education Code §44.031 and is permitted through Texas Government Code §791.001(g).

The College believes that contracting directly with Sunfinity Renewable Energy, LLC through the co-op contracts program will provide additional value to the College for the South Campus S-7 and S-9 projects, based on the previous competitive process, best value selection, and time-saved in the procurement process.

IMPACT OF THIS ACTION

Approval of this request will enable the supplier to assist the architect with plans to modify Buildings S-7 and S-9 to accommodate solar PV and to begin the design and sourcing of the actual solar generation capacity. The systems are estimated to ultimately provide up to twenty five percent of the energy required to operate the buildings.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

The estimated expenditure for this request will not exceed \$918,000 and will be funded by LoanSTAR Loan Contract CL-380.

MONITORING AND REPORTING TIMELINE

Design and procurement activities will begin upon execution of a contract for services and are expected to be completed during the 2022 calendar year. This project will be monitored by capital projects personnel with assistance from ESA Energy Systems Associates, Inc.

Purchase Request #5
Regular Board Meeting December 14, 2021
Consideration of Approval to Contract for Solar Photovoltaic Systems for
Buildings S-7 and S-9

ATTACHMENTS

None

RESOURCE PERSONNEL

Chuck Smith	281-998-6341	charles.smith@sjcd.edu
Genie Freeman-Scholes	281-998-6349	genevieve.scholes@sjcd.edu

Purchase Request #6
Regular Board Meeting December 14, 2021
Consideration of Approval to Renew the Contract for Printing Services

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees renew contracts with Southwest Precision Printers (SWPP) and Xpressdocs Partners LTD for printing of collaterals, signs, and banners for the College.

BACKGROUND

SWPP has provided printing services to the College for a number of years and has responded commendably to both advanced and short notice orders, and operates 24 hours, 7 days a week as needed for quick turnarounds. SWPP provides a single contact person, high quality printing, and web-based software where the College can upload and proof files. Xpressdocs Partners LTD offers a printing solution that integrates with Lucidpress, the marketing department's branded templating software. They offer very competitive prices and provide a turnkey solution for certain projects.

Request for proposals 21-05 was issued October 23, 2020 to procure printings services for collaterals, signs, and banners. The Board approved the original contract with Southwest Precision Printers (SWPP) and Xpressdocs Partners LTD December 7, 2020.

IMPACT OF THIS ACTION

The marketing department produces hundreds of print pieces each year, ranging from recruiting collateral materials to safety signage. Printing services are necessary in aiding the College's recruiting initiatives to ensure enrollment retention and brings awareness to the College and its programs in the community. In addition, printing is utilized for many purposes such as communicating requirements, safety reminders during the COVID-19 pandemic, and signage for events on campuses.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

The estimated annual expenditure for this request is \$285,000 and will be funded by various departments' 2021-2022 operating budget and subsequent year budgets as approved.

MONITORING AND REPORTING TIMELINE

These renewals will exercise the first of four one-year renewal options available for both contracts.

ATTACHMENTS

None

RESOURCE PERSONNEL

Janet Cowey	281-991-2603	janet.cowey@sjcd.edu
William Stinson	281-998-6378	william.stinson@sjcd.edu

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve a contract with Ucuro Inc. to provide student portal services for the College.

BACKGROUND

Among the priorities in the San Jacinto Strategic Plan 2019-2024, is the transformation of our advising systems to a technology-mediated advising model to support a more intensive and personalized case management model. Within the Title V project, the College proposed to optimize use of its existing software assets through streamlined and secure access of a new student portal that customizes the experience according to a user's role: perspective student, enrolled student, faculty, staff, etc. Key features of a portal would link students to personalized support services such as their degree plan, course and program progress, academic support, and wraparound services.

Request for proposals #21-23 was issued on May 21, 2021 to procure student portal services. Three responses were received and evaluated by a team comprised of representatives from numerous departments who will be involved with and utilize these services. The team determined the proposal submitted by Ucuro Inc. will provide the best value to the College.

IMPACT OF THIS ACTION

A student portal will provide a dashboard that navigates students, faculty, and staff to a landing page with a selection of choices relevant to their degree path, matriculation, and lifecycle status. This new system will allow the user to respond to action items, view academic progress, receive relevant pop-up notifications, advisor resources, etc. Use of the new student portal will streamline the access point to all the existing systems where relevant student, course and records information is maintained.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

The first three-years of the contract will be funded from the Title V Grant. The first-year expense is \$179,238, and the subsequent two years will be \$174,549 and \$183,277 respectively for a total of \$537,064. There are two additional one-year renewals available if the College elects to exercise them utilizing an alternate funding source.

MONITORING AND REPORTING TIMELINE

The contract term will commence on or after December 14, 2021, with renewal options of two one-year terms.

ATTACHMENTS

Attachment 1 - Tabulation

Purchase Request #7
Regular Board Meeting December 14, 2021
Consideration of Approval to Contract for Student Portal Services

RESOURCE PERSONNEL

Jessica Tello	281-998-6150 x1126	jessica.tello@sjcd.edu
Angela Klaus	281-998-6327	angela.klaus@sjcd.edu

ATTACHMENT NO. 1

**RFP 21-23 Student Portal
Evaluation Summary**

Criteria	Maximum Value	Ex Libris, Inc.	Ucroo Inc.	Forge Rock
Qualifications				
Section 1 - Understanding of the Project Scope and Ability to Meet Specifications	330.00	270.00	303.00	n/a
Section 2 - Qualifications and Experience of Firm and Personnel	110.00	88.00	99.00	n/a
Section 3 - Customer Service	110.00	89.00	102.00	n/a
Section 4 - Completeness, Clarity, and Quality of Responses to <i>Attachment A - Scope of Work</i> and <i>Attachment B - Specifications</i>	220.00	154.00	189.00	n/a
Interview	770.00	303.00	638.00	n/a
Price	660.00	680.00	414.09	n/a
Total (200 x 11 Evaluators)	2200.00	1584.00	1745.09	0.00

Final Ranking

#	Vendor Name	Total Score
1	Ucroo Inc.	1745.09
2	Ex Libris, Inc	1584.00
3	ForgeRock (non-responsive)	0.00

Purchase Request #8
Regular Board Meeting December 14, 2021

Consideration of Approval of Additional Funds for Computers and Services

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve the expenditure of additional funds for the purchase of computers, and services from Dell Marketing L.P. for the College.

BACKGROUND

The College's information technology services department utilizes Dell Marketing to purchase computers, software, and other technology products and services. The College has identified needs for laptops, desktop computers, monitors, and accessories for full-time staff, part-time faculty, students, and to refresh existing computers to become compatible with upgraded infrastructure installed during the COVID-19 pandemic. The purchase of these items will be funded utilizing Higher Education Emergency Relief Fund (HEERF) funds and will provide employees and students access to reliable and state of the art technology equipment.

Dell Marketing has a contract through the Texas Department of Information Resources cooperative contracts program to provide computers, laptops, tablets, servers, printers, peripherals and other technology products and services, Contract Number # DIR-TSO-3763, and complies with the competitive procurement requirement in Section 44.031 of the Texas Education Code and is permitted through Section 791.001(g) of the Texas Government Code.

IMPACT OF THIS ACTION

Providing laptops to full-time staff and part-time faculty will enable a seamless and quick transition between onsite and remote work in the event of a college closure such as during a pandemic or hurricane. Also, by providing part-time faculty a college asset, who predominantly use their own personal device, will mitigate risks with licensing compliance, device compatibility, data security, and providing technical support. As a result of the success of the student laptop checkout program, additional laptops are needed to fulfill the demand. Providing laptops to students improves their access to technology and chance of success in classes. Lastly, refreshing existing computers will improve the performance and reliability of technology in labs and offices, bringing them into compliance with existing infrastructure.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

In August 2021, the Board approved an expenditure of \$950,000 for computers, software, and services. This request will increase the total amount approved by \$4,350,000 to a total of \$5,300,000. This increased expenditure will be funded from the HEERF grant.

MONITORING AND REPORTING TIMELINE

None

ATTACHMENTS

Purchase Request #8
Regular Board Meeting December 14, 2021
Consideration of Approval of Additional Funds for Computers and Services

None

RESOURCE PERSONNEL

Allen Bourque	281-998-3494	allen.bourque@sjcd.edu
Ann Kokx-Templet	281-998-6103	ann.kokx-templet@sjcd.edu

Item "A"
Regular Board Meeting December 14, 2021
Approval of the Minutes for the November 1, 2021
Workshop and Regular Board Meeting

RECOMMENDATION

The Chancellor requests that the Board of Trustees approve the minutes for the November 1, 2021, Workshop and Regular Board Meeting.

San Jacinto College District Board Workshop November 1, 2021

The Board of Trustees of the San Jacinto Community College District met at 5:00 p.m., Monday, November 1, 2021, in Room 201 of the Thomas S. Sewell District Administration Building, 4624 Fairmont Parkway, Pasadena, Texas.

MINUTES

	Board Workshop Attendees:	Board Members: Erica Davis Rouse, Marie Flickinger, Dan Mims, Keith Sinor, Dr. Ruede Wheeler, Larry Wilson Absent: John Moon, Jr. Chancellor: Brenda Hellyer Other: Micki Morris (Attorney – via conference call), Sandra Ramirez, Mandi Reiland, Laurel Williamson, Teri Zamora
	Agenda Item:	Discussion/Information
I.	Call the Meeting to Order	Board Chair, Marie Flickinger, called the workshop to order at 5:00 p.m.
II.	Roll Call of Board Members	Chair Marie Flickinger conducted a roll call of the Board members: Erica Davis Rouse Dan Mims, John Moon, Jr., (absent) Keith Sinor Dr. Ruede Wheeler Larry Wilson
III.	Adjournment to closed or executive session pursuant to Texas Government Code Section 551.071, 551.076, 551.074, and 551.072 of the Texas Open Meetings Act, for the following purposes:	Chair Flickinger adjourned to closed session at 5:01 p.m. The Board members listed above as attending, Chancellor Hellyer, Sandra Ramirez, Mandi Reiland, Laurel Williamson, and Teri Zamora were present for the closed session. a. Legal Matters - For the purpose of a private consultation with the Board’s attorney on any or all subjects or matters authorized by law. Attorney Micki Morris (via conference call) present for this portion of the closed session.

		<p>b. Security Personnel or Devices – To consider the deployment, or specific occasions for implementation, of security personnel or devices</p> <p>c. Personnel Matters - For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee.</p> <p>d. Real Estate Matters - For the purpose of discussing the purchase, exchange, lease or value of real property.</p> <p>Laurel Williamson left the workshop.</p>
IV.	Reconvene in Open Meeting	Chair Flickinger reconvened to open meeting at 6:13 p.m.
V.	Update on Federal Student Emergency Funds	<p>Teri Zamora provided an update on the federal student emergency funds. She explained that the College received three different allotments of awarded money from the Federal government under the Higher Education Emergency Relief Funding (HEERF) funding. These allotments collectively total \$29.9 million dollars in funds that can only go toward student assistance. This fall, the College completed disbursing these funds. Teri reviewed a chart illustrating who received these funds.</p> <ul style="list-style-type: none"> • Dual credit students collectively received \$2.7 million • First time in college (FTIC) received \$3.9 million • First time transfer received \$1.1 million • Continuing students received \$23.3 million • Continuing and professional development (CPD) students received \$177,500. <p>The amount distributed to students totals \$31.1 million. In addition to the \$29.9 million that was provided from federal student emergency funds, the College also utilized \$1.2 million of federal institutional funds for this initiative. She explained the application process and how amounts awarded to students were determined.</p> <p>Keith Sinor asked where the additional funds came from. Teri responded it was allocated from the institutional HEERF dollars that were awarded to the College. The federal government had highly encouraged institutions to move a portion of these resources over to emergency funds, so we did that with the first portion of the CARES act funds.</p>

<p>VI.</p>	<p>Notice of Program Closure and Relocation for Auto Collision Repair</p>	<p>Dr. Brenda Hellyer provided notification to the Board of Trustees about the Auto Collision Repair program closure and relocation. She explained we have had this program at North Campus since 1977. There is a small program and enrollment is declining. It is slow growth for autobody technicians with only a two percent growth projected from 2019 to 2029. There are 15,700 openings projected every year in the job market. There are only three colleges that are providing auto collision repair credentials, along with several area high schools also providing it.</p> <p>Brenda added that as we talk with our industry partners, we are hearing the larger companies prefer individuals with formal training, formal experience, and the I-Car certification. Smaller companies are looking for six-month to one-year experience and are hiring those who do not have a credential. There is interest from our industry partners for San Jacinto College’s program to align more closely with our school district partners. The strongest program in the area is the one at Kirk Lewis Career & Technical High School. The current building at North Campus does not seem feasible to house a strong program. The building the program is currently housed in is an older building. The cost to get this building up to code to what is needed for this program would be approximately \$2 million and could reach \$3 million once soft costs are added.</p> <p>Brenda explained that our plan is to close the program at North Campus and relocate it to Central Campus. Central Campus houses the Transportation Center so there is alignment that auto collision repair would be included there. The initial estimate for the building modifications would be approximately \$150,000, with a total project cost in the range of \$270,000. The cost to relocate equipment and supplies to Central Campus is \$25,000. Total cost would be approximately \$300,000 to relocate this program to Central Campus. We will close the program at North Campus, notify Southern Association of Colleges and Schools Commissions on Colleges (SACSCOC), and complete a teach-out at North Campus. There are approximately 30 students in the current auto collision repair program. Over the next few months, into March, we will be working with our ISD and business partners to develop a plan for what we can do at Central Campus. We could have the auto body collision program relocated and in place at Central Campus by next fall with a feasible plan. If we find that more time or budget is needed and the plan is more complicated after talking to our industry</p>
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		<p>partners, the Board of Trustees will be updated, and a new recommendation will be presented for review.</p> <p>Larry Wilson asked if we are shutting the program down rather than just transferring it to a new location. Brenda responded that according to SACSCOC you have to officially shut the program down and start the program at the new location.</p> <p>Dan Mims asked if the larger dealerships see this program as a value for the students who completed their certification or are there other lower cost methods to get the same training. Brenda responded that Provosts Alexander Okwonna and Van Wigginton are leading these conversations. On the experience piece of it, we are looking at if the I-Car certification is what the College needs to be offering or is there other experience we can give students that does not tie into college credits. We will need to expand these conversations with the dealerships and some of the larger auto repair companies.</p> <p>Erica Davis Rouse asked if the high schools are offering the complete program. Brenda responded that the Kirk Lewis Career and Technical High School has a certificate program. They were excited when we started talking with them about the College having that dual credit component with them.</p> <p>The Board members were comfortable with this plan.</p>
<p>VII.</p>	<p>Request for Removal of Part-Time Staff Transactions from the Monthly Personnel Recommendations</p>	<p>Sandra Ramirez presented the request that Human Resources is recommending to no longer include the part-time staff transactions in the monthly personnel recommendations to the Board. Every part-time employee is hired on a Board approved rate schedule. We already do not include part-time faculty, because they are also on a Board approved rate schedule. If there is a rate correction or something that was done incorrectly, it will be brought forward to the Board. Any transaction that is more than 45 calendar days out and needs to be brought to the Board's attention will still be included.</p> <p>Brenda clarified that all full-time hires will still be included in the monthly personnel recommendations</p> <p>The Board members were comfortable with this recommendation.</p>

<p>VIII.</p>	<p>Review of Plan to Issue Previously Authorized GO Bonds and to Refinance and Defeasable Callable GO Bonds</p>	<p>Teri Zamora reviewed the plan to issue previously authorized GO bonds and to refinance and defeasable callable GO bonds. Teri explained that one of the Board's action items tonight is to approve the team and the cost for this item. The Board will be presented with more details next month. The plan proposes three components to be completed in late January 2022: issue \$40 million in new general obligation bonds, refund \$7.95 million of existing general obligation bonds, and defeasable \$2.9 million of bonds due in 2023. She provided a debt transaction timeline of the authorized bonds and how much was issued each year. The last \$40 million of the \$425 million bond will be allocated to finishing ongoing construction projects, deferred maintenance projects under development, and for considering opportunities at Generation Park.</p> <p>Teri explained that approximately \$7.975 million in callable General Obligation Bonds are eligible for refinancing. The College will save approximately \$1.3 million in interest costs by refinancing.</p> <p>She added that we have some 2015 refunding bonds totaling approximately \$1.2 million, and we have approximately \$700,000 in capital appreciation bonds, along with associated accrued interest, which are scheduled to mature on February 15, 2023. Our plan is to place \$2.9 million in escrow to pay these off, with interest, in February of 2023. The reason for doing this is to manage our tax rate. In August of 2019, the College passed a reserve policy which always requires the College to keep four to six months unrestricted cash. Even with the \$2.9 million early pay-off we will be within those guidelines.</p> <p>The professional team that is being proposed for this item will be: San Jacinto College as the Bond Issuer, PFM as the Independent Municipal Advisor, Hunton Andrews Kurth LLP as the Bond Counsel, and Holland and Knight LLP as the Disclosure Counsel. The underwriters will be changed. The College issued an RFP and developed a list of underwriters and we have utilized all of the large companies except for Wells Fargo, so we will have them as the Senior Manager on this deal. Teri provided a list of underwriters who were selected from the request for proposals (RFP) but are no longer doing business in Texas: Bank of America, Citigroup, JP Morgan, Chase, and Goldman Sachs.</p>
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		<p>Erica asked if the College will be doing another RFP since so many of the large underwriters are no longer doing business in Texas.</p> <p>Teri responded that our plan is to continue with the current list of underwriters developed in 2016 until all the voter-approved bonds are issued with this transaction. After that, a solicitation for a new pool of underwriters will occur in advance of any further transactions.</p> <p>Teri provided a summary and explained the College is expecting about a 2.7 percent interest rate on the \$40 million with an average life of 17 years on the new money component. On the refund, the new present value savings is approximately \$1.3 million. The \$2.9 million defeasance component will be put into escrow and come off our books immediately and will help to manage the College’s tax rate.</p>
<p>IX.</p>	<p>Update on State and Federal Legislative Sessions</p>	<p>Brenda provided an update on the State and Federal legislative sessions. On the Federal side, the Build Back Better Act was revised and released by the Biden administration. This bill, if approved, will devote \$40 billion to higher education and workforce programs. It will increase the Pell grant award for students and allows Pell grants to be awarded to Deferred Action for Childhood Arrivals (DACA) students enrolled in public and non-profit colleges. It includes large investments in minority serving institutions and will dedicate significant investments to community college workforce programs. San Jacinto College has already been asked to be partners on several Build Back Better grants.</p> <p>Brenda explained that Teri Crawford and John Stauffer participated in the Washington DC Fly-In with the Economic Alliance Houston Port Region. The Economic Alliance group had a total of about 25 meetings with Senators and Congressional members, American Fuel and Petrochemical Manufacturers (AFPM), American Chemical Council (ACC), National Association of Manufacturing (NAM), and the U.S. Department of Transportation Maritime Administration (MARAD).</p> <p>On the State side, the third special session has concluded. Community colleges received \$15 million for the Texas Reskilling and Upskilling through Education (TRUE) initiative. Details on funding are being worked at the state level, but this is mostly a grant request program. The \$250 million that had been requested for sustainability projects for</p>

		<p>community colleges did not get funded. Appointments for the Commission on Community College Finance have been made. The Governor and Lt. Governor made their appointments. Brenda stated she has been appointed by the Texas Association of Community Colleges (TACC) and Carol Scott, Board Chair at Del Mar College, has been appointed by Community College Association of Texas Trustees (CCATT). We are still waiting on appointments from the Speaker’s office. Those should happen soon, and meetings will begin in November.</p> <p>Dr. Ruede Wheeler asked how this Commission will determine how much money each community college receives.</p> <p>Brenda responded that the Commission will look at past and current funding models and assess gaps and issues around that model. Taxes, success points, contact hours, and demographics will be reviewed. The group will make recommendations on what a funding model should look like in the future. Once the model is put together, it will go to the legislature to determine funding.</p>
X.	Review of Calendar	<p>Brenda reviewed the calendar with the Board. She explained there will be a community open house for Generation Park on November 8. State of the College will be November 12 and there will be assigned seating. The Foundation holiday party scheduled for December 16, as well as the College’s campus holiday luncheons, have been cancelled due to the pandemic. We will be ordering polo shirts to provide to all part-time and full-time employees due to the cancellation of the luncheons. Commencement will be held December 10 and the Board Retreat will be held January 28.</p>
XI.	Adjournment	<p>Chair Marie Flickinger adjourned the meeting at 6:47 p.m.</p>

**San Jacinto College District
Regular Board Meeting Minutes**

November 1, 2021

The Board of Trustees of the San Jacinto Community College District met at 7:00 p.m., Monday, November 1, 2021, in Room 104 of the Thomas S. Sewell District Administration Building, 4624 Fairmont Parkway, Pasadena, Texas for a regular Board Meeting.

Board of Trustees: Erica Davis Rouse, Assistant Secretary
Marie Flickinger, Chair
Dan Mims
Keith Sinor, Secretary
Dr. Ruede Wheeler
Larry Wilson

Absent: John Moon, Jr., Vice Chair

Chancellor: Brenda Hellyer

Others Present:

Teri Crawford	Alexander Okwonna
Destry Dokes	JR Ragaisis
George González	Sandra Ramirez
Kevin Hale	Mandi Reiland
Allatia Harris	Sherilyn Reynolds
Bo Hopper	Shelley Rinehart
Carin Hutchins	Eddy Ruiz
Sallie Kay Janes	Rob Stanicic
Robert Jeter III	Kenneth Tidwell
Bryan Jones	Van Wigginton
Matt Keim	Laurel Williamson
Aaron Knight	Teri Zamora
Kevin Morris	Joanna Zimmerman

Call the Meeting to order: Chair Marie Flickinger called the Regular Meeting of the Board of Trustees to order at 7:00 p.m.

Roll Call of Board Members: Chair Marie Flickinger conducted a roll call of the Board members:

Erica Davis Rouse
Dan Mims
John Moon, Jr. (absent)
Keith Sinor
Dr. Ruede Wheeler
Larry Wilson

Invocation and Pledges to the Flags:

The invocation was given by Dr. Laurel Williamson. The pledges to the American flag and the Texas flag were led by Dan Mims.

Special Announcements, Recognitions, Introductions, and Presentations:

1. Board member Dan Mims and Chancellor Hellyer provided an update on the recent Association of Community College Trustees (ACCT) Leadership Congress they attended. It was announced that Trustee Dan Mims was reelected to serve on the ACCT Board of Directors as a Western Region representative and as Western Region Chair. It was announced that Board Assistant, Mandi Reiland, was elected to serve on the Executive Committee of the ACCT Professional Board Staff Network as the Communications Coordinator.

Student Success Presentations:

1. George González provided an update on the high school capture rate.
2. Laurel Williamson and Shelley Rinehart provided an update on career and pathways workforce.

Communications to the Board:

The following items were reviewed and distributed to the Board as communication items.

1. A thank you was sent to the Board by Susanne Tolley for the plant sent in memory of her son.
2. A thank you was sent to the Board by Shelley Rinehart for the plant sent in memory of her aunt.
3. Copy of the 2021-2022 Budget book was provided.

Public Comment:

Citizens desiring to speak before the Board:

1. Robert Jeter III

Informative Reports:

Chair Marie Flickinger indicated such reports were available in the Board documents and online.

- A. San Jacinto College Financial Statements
 - a. San Jacinto College Financial Statements September 2021
 - b. San Jacinto College Monthly Investment Report September 2021
- B. San Jacinto College Foundation Financial Statements
 - a. September 2021
- C. Capital Improvement Program
 - a. September 2021

Motion 10153 Consideration of Approval of Amendment to the

Motion was made by Erica Davis Rouse, seconded by Dr. Ruede Wheeler, for approval of Amendment to the 2021-2022 Budget for Restricted Revenue and Expenses Relating to Federal and State Grants.

**2021-2022 Budget for
Restricted Revenue
and Expenses
Relating to Federal
and State Grants**

Motion Carried.

Yeas: Davis Rouse, Mims, Sinor, Wheeler, Wilson

Nays: None

Absent: Moon, Jr.

**Motion 10154
Consideration of
Approval of Policy
V.5003.A, Academic
Freedom – Second
Reading**

Motion was made by Keith Sinor, seconded by Larry Wilson for approval of Policy V.5003.A, Academic Freedom – Second Reading.

Motion Carried.

Yeas: Davis Rouse, Mims, Sinor, Wheeler, Wilson

Nays: None

Absent: Moon, Jr.

**Motion 10155
Consideration of
Approval of Policy
III.3007.C,
Centralized Contracts
and Purchasing
Services Department
– Second Reading**

Motion was made by Dan Mims, seconded by Larry Wilson, for approval of Policy III.3007.C, Centralized Contracts and Purchasing Services Department – Second Reading.

Motion Carried.

Yeas: Davis Rouse, Mims, Sinor, Wheeler, Wilson

Nays: None

Absent: Moon, Jr.

**Motion 10156
Consideration of
Rescission of Policy
V-D, Policy on Travel,
and Approval of
Policy III.3001.G,
Employee Travel -
Second Reading**

Motion was made by Larry Wilson, seconded by Keith Sinor, for rescission of Policy V-D, Policy on Travel, and approval of Policy III.3001.G, Employee Travel - Second Reading.

Motion Carried.

Yeas: Davis Rouse, Mims, Sinor, Wheeler, Wilson

Nays: None

Absent: Moon, Jr.

**Motion 10157
Consideration of
Rescission of Policy
VI-C: Policy on Role
of Faculty in
Institutional
Governance, and
Approval of Policy
II.2002.A, Shared**

Motion was made by Dr. Ruede Wheeler, seconded by Dan Mims, for rescission of Policy VI-C: Policy on Role of Faculty in Institutional Governance, and approval of Policy II.2002.A, Shared Governance - Second Reading.

Motion Carried.

Yeas: Davis Rouse, Mims, Sinor, Wheeler, Wilson

Nays: None

Governance - Second Reading Absent: Moon, Jr.

Motion 10158 Motion was made by Keith Sinor, seconded by Dan Mims, for approval of Financing Team and Related Expenditures.

Consideration of Approval of Financing Team and Related Expenditures Motion Carried.

Yeas: Davis Rouse, Mims, Sinor, Wheeler, Wilson
Nays: None
Absent: Moon, Jr.

Motion 10159 Motion was made by Dr. Ruede Wheeler, seconded by Dan Mims, for approval of the purchasing requests.

Consideration of Purchasing Requests

Purchase Request #1	
Contract for Temporary Staffing Services	\$1,400,000
Purchase Request #2	
Contract for Roof Repair Services	<u>\$100,000</u>
TOTAL OF PURCHASE REQUESTS	\$1,500,000

Motion Carried.

Yeas: Davis Rouse, Mims, Sinor, Wheeler, Wilson
Nays: None
Absent: Moon, Jr.

Motion 10160 Motion was made by Larry Wilson, seconded by Keith Sinor, to approve the consent agenda.

Consent Agenda

- A. Approval of the Minutes for the October 4, 2021, Workshop, Public Tax Hearing, and Regular Board Meeting
- B. Approval of the Budget Transfers
- C. Approval of Personnel Recommendations, 2021-2022 Part-Time Hourly Rate Schedule, 2021 Educational Advancement Incentives, Extra Service Agreement (ESA)
- D. Approval of the Affiliation Agreements
- E. Approval of the Next Regularly Scheduled Meeting on December 13, 2021 (meeting was subsequently rescheduled to December 14, 2021)

Motion Carried.

Yeas: Davis Rouse, Mims, Sinor, Wheeler, Wilson

Nays: None
Absent: Moon, Jr.

**Items for Discussion/
Possible Action**

There were no additional items discussed.

Adjournment:

Chair Marie Flickinger adjourned the meeting at 7:53 p.m.

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve budget transfers for October 2021 which have been made in accordance with appropriate accounting procedures.

BACKGROUND

Adoption of the budget by the Board of Trustees prior to September 1 of each year serves as the authorization to expend funds for the next fiscal year. The budget is adopted by functional classification (or cost elements: Instruction, Public Service, Academic Support, Student Services, Institutional Support, and Operation and Maintenance of Plant) as defined by the National Association of College and University Business Officers (NACUBO). Realizing that the budget is a living document that reflects the evolving needs of the College in terms of meeting goals and objectives, occasional movement of budgeted funds between cost elements is desirable and warranted. The budget transfers under consideration represent previously authorized expenditures that are requested to be reclassified from one cost element to another cost element.

IMPACT OF THIS ACTION

Approval of the budget transfers allows the College to more effectively utilize existing resources in fulfilling its instructional objectives.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

This request is a reclassification of existing authorizations.

MONITORING AND REPORTING TIMELINE

None

ATTACHMENTS

Attachment 1 – Budget Transfers

RESOURCE PERSONNEL

Teri Zamora	281-998-6306	teri.zamora@sjcd.edu
Carin Hutchins	281-998-6109	carin.hutchins@sjcd.edu
Dianne Duron	281-998-6347	dianne.duron@sjcd.edu

SAN JACINTO COLLEGE DISTRICT
 Budget Transfers related to Fiscal Year 2021-22
 for October 2021

ELEMENT OF COST	DEBIT	CREDIT
INSTRUCTION	\$ 6,150	\$ -
PUBLIC SERVICE	\$ -	\$ -
ACADEMIC SUPPORT	\$ -	\$ 6,000
STUDENT SERVICES	\$ -	\$ -
INSTITUTIONAL SUPPORT	\$ -	\$ 150
PHYSICAL PLANT	\$ -	\$ -
AUXILIARY ENTERPRISES	\$ -	\$ -
	\$ 6,150	\$ 6,150

RECOMMENDATION

The administration recommends that the Board of Trustees approve the following Affiliation Agreements:

District-Wide

Department

Health Science Programs

Affiliation Entity

Post Acute Medical, LLC

South Campus

Department

Personal Trainer Program

Affiliation Entity

Dynamic Sports Training

Personal Trainer Program

Life Fit Personal Fitness Studio

Occupational Therapy Assistant

Nexus Children’s Hospital

Physical Therapy Assistant and
Occupational Therapy Assistant

UTMB Galveston

LVN/Paramedic to RN Transition
and Vocational Nursing Programs

Clear Creek ISD

Central Campus

Department

Eye Care Technology

Affiliation Entity

Houston Eye Associates

North Campus

Department

Health Information Management

Affiliation Entity

Maximos OB/GYN

Health Information Management

Bootin and Savrick Pediatric

Nursing

Western Governors University

RATIONALE

The Affiliation Agreements were reviewed by the College’s external legal counsel.

FISCAL IMPLICATIONS TO THE COLLEGE

N/A

CONTACT PERSONNEL

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Laurel Williamson

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laurel.williamson@sjcd.edu

Item "E"
Regular Board Meeting December 14, 2021
Approval of the Next Regularly Scheduled Meeting

RECOMMENDATION

The next regularly scheduled meeting of the Board of Trustees will be Monday, January 31, 2022.