



Notice/Agenda of Regular Meeting (Appomattox)

**The Board of Trustees
College of the Mainland
Appomattox Meeting Room
Monday, May 23, 2016
1501 North Amburn Road, Suite 4
Texas City, Texas 77591**

A Regular Meeting (Appomattox) of the Board of Trustees of College of the Mainland will be held Monday, May 23, 2016, beginning at 12:30 PM in the Appomattox Meeting Room.

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. The items listed in this notice may be considered in any order at the discretion of the Chair or Board and items listed for closed session discussion may be discussed and/or approved in open session and vice versa as permitted by law.

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. Call to Order
2. Pledge of Allegiance (American Flag), Texas Pledge, & a Moment of Silence
3. Roll Call & Determination of Quorum
4. Minutes
 - A. Discussion and Possible Action on Full Board Minutes of Monday, April 25, 2016

5. Comments from the Community

Note: A citizen desiring to appear before the Board of Trustees shall complete an application with the Board Clerk prior to the start of the meeting and shall indicate the topic about which they wish to speak. Time allotted each citizen or organization shall be limited to five minutes. Delegations of more than five (5) persons shall appoint one person to present their views before the Board. Let me also note that the Board may stop any speaker who makes complaints or charges or personal attacks against any specific trustee or employee and require that speaker to resume his or her comments only in closed session as permitted under the personnel exception to the Texas Open Meetings Act. We appreciate your concerns. If the matter(s) you raise are not included on the board agenda, state law, specifically the Texas Open Meetings Act, prohibits the Board from discussing, commenting on or taking action on these issues at this board meeting. However, a member of the administration will follow up with you. Thank you.

- A. Students

- B. Employees
 - C. Other Citizens
6. Constituents Leader Activity Reports
- A. Students
 - B. Faculty
 - C. Professional
 - D. Classified
7. Consent Agenda Items
- A. Approved Items from the Human Resources Committee
 1. Consideration of and Possible Action on the Minutes of Wednesday, March 30, 2016
 2. Consideration of and Possible Action on Appointment Nomination(s)
 - a. Discussion and Possible Action on Appointment of Assistant Professor of Math James Griffiths, Assistant Professor of Math, Math/Science Department
 - b. Discussion and Possible Action on Appointment of Assistant Professor Geology John Mohr, Assistant Professor of Geology, Math/Science Department
 - c. Discussion and Possible Action on Appointment of Director of Enterprise Systems Courtney Moore, Director of Enterprise Systems, Information Technology Services Department
 3. Consideration of and Possible Action on Granting of Tenure to Elaine Childs, Terri Davis, Lalanya Ennis-Maldonado and Juliana Garcia
 - B. Approved Items from the Policy Committee
 1. Consideration of and Possible Action on the Minutes of Monday, January 25, 2016
 2. Local Policy Revision(s)
 - a. Discussion and Possible Action on the Revision of Policy CAA (LOCAL) – Appropriations and Revenue Sources – State and Federal Revenue Sources
 - b. Discussion and Possible Action on the Revision of Policy DIA(LOCAL) – Freedom from Discrimination, Harassment and Retaliation
 - c. Discussion and Possible Action on the Revision of Policy DIAA(LOCAL) – Freedom from Discrimination, Harassment and Retaliation – Sex and Sexual Violence
 - d. Discussion and Possible Action on the Revision of Policy DIAB(LOCAL) – Freedom from Discrimination, Harassment and Retaliation – Other Protected Characteristics
 - e. Discussion and Possible Action on the Revision of Policy FFD(LOCAL) - Freedom from Discrimination, Harassment and Retaliation
 - f. Discussion and Possible Action on the Revision of Policy FFDA(LOCAL) - Freedom from Discrimination, Harassment and Retaliation – Sex and Sexual Violence
 - g. Discussion and Possible Action on the Revision of Policy FFDB(LOCAL) - Freedom from Discrimination, Harassment and Retaliation – Other Protected Characteristics
 - C. Approved Items from the Finance/Audit Committee
 1. Consideration of and Possible Action on the Minutes of Monday, April 25, 2016
 2. Consideration of and Possible Action on THECB Educational Aide Exemption (EAE) Program
 3. Discussion and Possible Acceptance of Cooperative Purchasing Agreement with Collin County Community College
 4. Discussion and Possible Action to Create a Variance to Article G, Section 3 of the Board

Bylaws, allowing the Board to Award a Consecutive Contract to Whitley Penn as the College of the Mainland's External Auditor for a Two Year Contract Term

5. Discussion and Possible Action on Award of a Consecutive Contract for Professional Services with Whitley Penn for External Auditing for a Two Year Contract Term
6. Discussion and Possible Action on the Engagement of Financial Advisory Services
7. RBC Capital Markets Presentation
8. Discussion and Possible Action on the Purchase of Equipment for the Newly Created Instrumentation Certificate Program which will be Offered in the Fall Semester of 2016
9. Discussion and Possible Action on Changes to Nursing Student Lab Fees for Fall Semester of 2016
10. Discussion and Possible Action on Board Approval to Implement a \$68 Nursing Data Management Fee as of Fall 2016 to be Charged to all Nursing Students
11. Budget Presentation
The Administration will review the budget process.
8. State of Adult Education
A presentation by Josh Hayes, Director of Adult Education
9. PBK Master Plan Presentation
PBK will present the final version of the College of the Mainland Master Plan to the Board of Trustees for discussion.
10. Consideration of and Possible Acceptance of Investment Report
A. April 2016
11. Consideration of and Possible Action on Monthly Financial Report
A. April 2016
12. Board Report
13. President's Report
A. Miscellaneous Updates from Dr. Lewis
14. Adjournment to closed or executive session pursuant to Texas Government Code Sections 551.071, 551.072, and 551.074, the Open Meetings Act, for the following purposes:
 - A. Legal Matters
 1. Consultation with legal counsel concerning matters on which the attorney's duty to the System under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws.
 2. Consultation with Legal Counsel on Pending Legal Matters
 3. Discussion of Settlement with Plaintiff Dorothy Jones in the following matter: Dorothy Jones v. College of the Mainland, Cause No. 14-CV-0434, in the 122nd Judicial District Court of Galveston County, Texas.
 - B. Personnel Matters
 1. Deliberate Individual/Faculty/Administration Classified Staff
 2. Deliberate the appointment, employment, evaluation, reassignment, duties, leave, discipline, contract status, or dismissal or to hear complaints or charges against the president, employees or board members.
 3. Discussion of President Beth Lewis' Employment Contract
 4. Discussion of Separation Agreement with President Beth Lewis
 - C. Real Estate and Property Matters

1. Deliberate the purchase, exchange, lease, or value of real property for Agenda items if deliberation in an open meeting would have a detrimental effect on negotiations.

2. Discussion of Potential Real Estate Purchase(s)

15. Additional Closed or Executive 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 551.082 – For the purpose of considering discipline of a student or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing.

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

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.

16. Reconvene in Open Meeting

17. Possible Action on Agenda Items, Including Closed Session Matters

A. Consideration of an Possible Action to Approve Settlement with Plaintiff Dorothy Jones in the following matter: Dorothy Jones v. College of the Mainland, Cause No. 14-CV-0434, in the 122nd Judicial District Court of Galveston County, Texas

B. Consideration of and Possible Action on President Beth Lewis’ Employment Contract

C. Consideration of and Possible Action on Separation Agreement with President Beth Lewis

18. Adjourn

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board reserves the right to conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapters D and E, including but not limited to the following provisions; 1)Section 551.071-consultation with attorney, 2)Section 551.072-deliberation regarding real property, 3) Section 551.073-deliberation regarding prospective gifts, 4)Section 551.074-deliberation regarding personnel matters, and/or complaints against school personnel, 5)Section 551.082-deliberation regarding student disciplinary matters and/or complaints against personnel and/or, 6)Section 551.087-deliberation regarding economic development negotiations. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

The notice for this meeting was posted in compliance with the Texas Open Meeting Act on, Wednesday, May 18, 2016 4:00 P.M..



Rosie E. Rojas
Board Clerk