



REPORT TO THE BOARD OF REGENTS

March 20, 2020
Meeting 334

**STEPHEN F. AUSTIN
STATE UNIVERSITY**

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BOARD OF REGENTS MEETING 334

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AGENDA

SFA Board of Regents – Meeting 334

Special Called Meeting

Conference Call

March 20, 2020

Board members

Brigettee Henderson, Chair | Alton Frailey, Vice Chair and Secretary |

David Alders | Scott Coleman | Karen Gantt | Tom Mason | Judy Olson | Jenn Winston | Zoé Smiley

Estimated Time	Item	Presenter
10:00 a.m.	SFA Board of Regents Special Called Meeting	
	Call to Order in Open Session	B. Henderson
	Welcome and Introductions	B. Henderson
10:05 a.m.	Agenda Item 1: Environmental Service Fee Policy	D. Gallant
10:10 a.m.	Agenda Item 2: ITS Wireless Networking Upgrade	A. Espinoza
10:15 a.m.	Agenda Item 3: Temporary Authority of the President to Respond to COVID-19 (EMERGENCY/URGENT PUBLIC NECESSITY ITEM TO RESPOND TO COVID-19 PANDEMIC)	B. Henderson
10:25 a.m.	Recess to Executive Session	
	Deliberations Regarding the Purchase, Exchange, Lease, Sale or Value of Real Property (Texas Government Code, Section 551.072)	D. Derrick
	Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to EEOC charges, legal issues concerning contracts, NCAA Compliance, and <i>Pamela Clasquin v. SFASU</i> (Texas Government Code, Section 551.071)	D. Derrick
	Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to the athletic director, vice presidents and the president (Texas Government Code, Section 551.074)	D. Derrick
	Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (Texas Government Code, Section 551.073)	D. Derrick
11:30 a.m.	Return to Open Session	

Estimated Time	Item	Presenter
	Adjourn Meeting of the Board of Regents	B. Henderson



STEPHEN F. AUSTIN
STATE UNIVERSITY

Board of Regents

March 20, 2020

*Special Called Meeting
Telephone Conference*



POLICY SUMMARY FORM

Policy Name: Environmental Services Fee

Policy Number: 3.11

Is this policy new, being reviewed/revised, or deleted? New

Date of last revision, if applicable:

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): Guidelines for use of Environmental Service Fee.

Reason for the addition, revision, or deletion (check all that apply):

- ☐ Scheduled Review ☐ Change in law ☐ Response to audit finding
☐ Internal Review ☒ Other, please explain: Board Order 20-30

Please complete the appropriate section:

Specific rationale for new policy: Board Order 20-30

Specific rationale for each substantive revision:

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel

Environmental Services Fee

Original Implementation: March 13, 2020

Last Revision: N/A

The Environmental Services Fee (ESF) is used to provide environmental improvements at SFA through services related to recycling, energy efficiency and renewable energy, transportation, product purchasing, planning and maintenance, or irrigation; or to provide matching funds for grants to obtain environmental improvements.

The distribution of ESF is conducted by the Environmental Services Fee Committee. This committee is composed of nine members. These include five student members who are enrolled for not less than six semester credit hours and who are appointed by the Student Government Association to staggered one and two year terms. The Vice President of Finance and Administration appoints two faculty and two staff members to serve on the committee in staggered two year terms. Any vacancies in an appointive position on the committee shall be filled for the unexpired portion of the term in the same manner as the original appointment. The director of the physical plant, or designee, will serve in an ex officio capacity.

The ESF may only conduct meetings at which at least a quorum plus one (at least six committee members) is present. The director of the physical plant will not count for purposes of a quorum. Meetings must be open to the public. The committee must provide notice of the date, hour, place, and subject of the meeting at least 72 hours before the meeting is convened. This notice must be posted on the Internet and in the student newspaper if an issue of the newspaper is published between the time of the Internet posting and the time of the meeting.

The fee will be awarded through an annual grants competition. A specific project or mini grants may be awarded. The committee will hear proposals from employees, students, and recognized student organizations. The cumulative amount of awards in any fiscal year is limited to that year's actual revenue plus uncommitted prior year balances. No awards or commitments will be made in excess of the existing ESF account balance. The committee will submit final recommendations for awards to the president for approval. The president may submit an award proposal to the Building and Grounds committee of the Board of Regents for consideration.

By statute, funding generated by the fee may not be used to reduce or replace other money allocated by the institution for environmental projects.

Cross Reference: Tex. Educ. Code § 54.5041

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of the Physical Plant

Forms: None

Board Committee Assignment: Building and Grounds

ITS WIRELESS NETWORKING UPGRADE

Explanation:

To maintain a secure and reliable wireless network, it is necessary to upgrade and replace networking infrastructure equipment, and wireless access points which support the network. The changes in wireless networking standards and the constant introduction of new wireless enabled devices necessitates that wireless networking equipment be replaced every few years.

Recommendation:

The administration recommends approval of ITS Wireless Networking Upgrade at a cost not to exceed \$771,000. The Residence Life Wireless Network Upgrades, approved in the July 23, 2019 Board of Regents meeting, under Board Order 19-50, will fund up to \$151,000. The Higher Education Fund (HEF) will be used to fund the remaining balance. The administration further recommends presidential authorization to sign purchase orders and contracts greater than or equal to \$500,000.

Temporary Authority of the President to Respond to COVID-19

Explanation:

On March 13, 2020 the president of the United States issued a proclamation declaring a national emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. Likewise, the governor of the State of Texas declared a state of disaster in Texas due to COVID-19. This global pandemic has already caused significant disruption to the university's operations, and requires swift action on the part of the university to minimize the impact to the university's students, faculty, staff, and other stakeholders.

Recommendation:

It is recommended that the Board of Regents grant the president the authority to suspend university policies as needed and take any lawful action necessary to cope with this global emergency without the necessity of obtaining prior board approval. The president is required to report to the board actions taken under this authority at regular intervals. This authority will automatically terminate once the university resumes normal operations, unless terminated earlier by the board.

Deliberations Regarding the Purchase, Exchange, Lease, Sale or Value of Real Property (Texas Government Code, Section 551.072)

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints, EEOC charges, legal issues concerning contracts, NCAA Compliance, *Pamela Clasquin v. SFASU* (Texas Government Code, Section 551.071)

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