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**BOARD MINUTES FOR MARCH 20, 2020**  
**BOARD OF REGENTS MEETING 334**

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### APPENDIX

Appendix 1 – Policy Revisions
Friday, March 20, 2020

The telephone conference, special called meeting of the Board of Regents was called to order in open session at 10:02 a.m. by Chair Brigettee Henderson.

PRESENT in the room:

Board Members:  Mrs. Brigettee Henderson, Chair  
                 Mr. David Alders

General Counsel:  Mr. Damon Derrick

President:  Dr. Scott Gordon

Administrator:  Mr. Ryan Ivey

PRESENT on the conference phone line:

Board Members:  Dr. Scott Coleman  
                 Mr. Alton Frailey  
                 Mrs. Karen Gantt  
                 Mr. Tom Mason  
                 Mrs. Judy Olson  
                 Mrs. Jennifer Winston  
                 Ms. Zoe Smiley, student member

Administrators:  Dr. Steve Bullard  
                 Dr. Danny Gallant  
                 Mrs. Jill Still  
                 Dr. Steve Westbrook  
                 Mr. Anthony Espinoza

COMMITTEE OF THE WHOLE

BOARD ORDER 20-43

Upon motion by Regent Mason, seconded by Regent Frailey, with all members voting aye, it was ordered that the following item be approved with changes to the position that will serve as chair of the committee.
The Board of Regents adopted the policy, Environmental Service Fee 3.11 as presented in Appendix 1.

**BOARD ORDER 20-44**

Upon motion by Regent Alders, seconded by Regent Olson, with all members voting aye, it was ordered that the following item be approved.

**ITS WIRELESS NETWORKING UPGRADE**

WHEREAS, the board members considered the following: 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.

THEREFORE, it was ordered that the 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 president is authorized to sign purchase orders and contracts greater than or equal to $500,000.

**BOARD ORDER 20-45**

Upon motion by Regent Frailey, seconded by Regent Alders, with all members voting aye, it was ordered that the following item be approved with modifications to the text. Presented below is the approved text.

**TEMPORARY AUTHORITY OF THE PRESIDENT TO RESPOND TO COVID-19**

WHEREAS, the board members considered the following: 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.

THEREFORE, it was ordered 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 the next scheduled meeting of the board. This authority will automatically terminate once the university resumes normal operations, unless terminated earlier by the board.

**COMMENTS**

Chair Henderson provided comments to recognize the university’s administration, faculty and
staff for their diligent work throughout this difficult and unprecedented times with the COVID-19 pandemic. Gratitude was shown for all of the constituencies involved with SFA. Chair Henderson reiterated that all decisions being made are explored to the fullest, are well educated, and have the focus of respecting and protecting the SFA students, faculty, staff and community.

The chair called for an executive session to consider the following items at 10:25 a.m.:

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 EEOC charges, legal issues concerning contracts, NCAA Compliance, Pamela Clasquin v. SFASU (Texas Government Code, Section 551.071)

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 director of athletics, vice presidents and the president (Texas Government Code, Section 551.074)

Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (Texas Government Code, Section 551.073)

The executive session ended at 12:23 p.m. The Board of Regents meeting returned to open session.

The meeting was adjourned by Chair Henderson at 12:26 p.m.
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
- [X] 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 20, 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 ten 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 will be a voting member and serve as chair of the committee.

The ESF may only conduct meetings, called by the chair, at which at least a quorum is present. 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