PUBLIC HEARING
PROPOSED TAXATION OF GOODS IN TRANSIT
AND
WORKSHOP AND REGULAR MEETING OF
THE BOARD OF TRUSTEES
LONE STAR COLLEGE SYSTEM
CENTRAL SERVICES AND TRAINING CENTER
TRAINING AND DEVELOPMENT CENTER BOARD ROOM
5000 RESEARCH FOREST DRIVE
THE WOODLANDS, TEXAS 77381
December 1, 2011
5:00 p.m.

Public Hearing – Proposal to Continue Current Taxation of Goods in Transit

I. Call to Order

II. Pledge of Allegiance

III. Certification of the Posting of the Notice of the Public Hearing

IV. Presentation of the Proposal to Continue the Current Taxation of Goods in Transit

V. Citizens Comments

VI. Adjournment of Public Hearing

Workshop and Regular Meeting

I. Call to Order

II. Certification of the Posting of the Notice of the Meeting

III. Introductions, Special Guests, Recognitions

IV. Workshop

Student Success

V. Closed Session

The Board of Trustees, in accordance with Sections 551.001, et seq. of the Texas Government Code will move into Closed Session under one or more of the following provision(s) of the ACT:

Section 551.071 – Consultation With Attorney
Section 551.072 - Deliberation Regarding Real Property
Section 551.073 - Deliberation Regarding Prospective Gift
Section 551.074 - Personnel Matters
VI. Reconvene Regular Meeting

VII. Approval of the Minutes of the October 6, 2011 Workshop and Regular Meeting, November 3, 2011 Workshop and Regular Meeting and the November 4-5, 2011 Board of Trustees Retreat

VIII. Citizens Desiring to Address the Board

IX. Special Reports and Announcements
   1. Chancellor
   2. College Presidents
   3. Vice Chancellors
   4. Faculty Senate Presidents

X. Consideration of Consent Agenda

(The purpose of the consent agenda is to allow the Board to identify and approve action items which require no additional information or discussion and for which there is unanimous approval. Trustees receive agenda materials one week in advance of the meeting to prepare for the business to be conducted.)

XI. Policy Considerations

   1. Consideration of Approval for the Recommended Revision of the Lone Star College System Board Policy Section VI (SECOND READING) (ACTION ITEM 1)

   2. Consideration of Approval of the Recommended Revision of the Lone Star College System Board Policy Section I D.2.03 (SECOND READING) (ACTION ITEM 2)

   3. Consideration of the Recommended Revision of the Lone Star College System Board Policy Section IV F.4 (FIRST READING)

XII. Financial Reports and Considerations

   1. Monthly Financial Statements

   2. Consideration of Approval and Acceptance of the Comprehensive Annual Financial Report (CAFR) and the Independent Auditors’ Reports (ACTION ITEM 3)
3. Consideration of Adoption of a Resolution Continuing the Current Taxation of Goods-in-Transit that are Otherwise Exempt from Taxation Under Section 11.253, Texas Tax Code (ACTION ITEM 4)

4. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute a Contract to Purchase Lawn Maintenance Services for the System (ACTION ITEM 5)

5. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute Master Service Contracts for the Purchase of Maintenance, Repairs, and Inspection Services for System Facilities (ACTION ITEM 6)

6. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute a Contract to Replace Four Elevators at LSC-North Harris (ACTION ITEM 7)

7. Consideration of Approval to Purchase Computerized Assessment Tests for the System (ACTION ITEM 8)

8. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute a Contract to Purchase Nursing Curricula Testing and Supplemental Educational Materials for the System (ACTION ITEM 9)

XIII. Building and Grounds Report

Construction Projects Update

XIV. Personnel Reports and Considerations

1. Consideration of Ratification of Appointments (ACTION ITEM 10)

2. Consideration of Acceptance of Resignations (ACTION ITEM 11)

3. Consideration of Approval of Commissioning of Peace Officer (ACTION ITEM 12)

XV. Suggested Future Agenda Items

XVI. Adjournment

The Board of Trustees, may at any time prior to adjournment, in accordance with Sections 551.001, et seq. of the Texas Government Code, move into Closed Session under the following provision(s) of the ACT:

Section 551.071 - Consultation With Attorney
Section 551.072 - Deliberation Regarding Real Property
Section 551.073 - Deliberation Regarding Prospective Gift
Section 551.074 - Personnel Matters
Section 551.076 - Deliberation Regarding Security Devices
Section 551.087 - Economic Development Negotiations
Certification of Posting of Notice to the December 1, 2011
Public Hearing
Proposal to Continue Current Taxation of Goods in Transit
Lone Star College System
Board of Trustees

I, Richard Carpenter, Chancellor of the Lone Star College System, do hereby certify that a notice of the Public Hearing was posted on Monday, the 28th day of November, 2011, in a place convenient to the public in the Administration Office of the District Services and Training Center, on all college campuses and on the district website as required by Section 551.002 et seq., Texas Government Code. Special notice of the meeting was provided to the news media as required by Section 551.001 et seq., Texas Government Code.

Given under my hand this the 28th day of November, 2011.

Richard Carpenter
Chancellor
I, Richard Carpenter, Chancellor of the Lone Star College System, do hereby certify that a notice of this meeting was posted on Monday the 28th day of November, 2011 in a place convenient to the public in the Administration Office of the Central Services and Training Center, on all college campuses and on the system website as required by Section 551.002 et seq., Texas Government Code. Special notice of the meeting was provided to the news media as required by Section 551.001 et seq., Texas Government Code.

Given under my hand this the 28th day of November, 2011.

[Signature]

Richard Carpenter
Chancellor
MINUTES OF THE
WORKSHOP AND REGULAR MEETING OF THE BOARD OF TRUSTEES
LONE STAR COLLEGE SYSTEM
CENTRAL SERVICES AND TRAINING CENTER
TRAINING AND DEVELOPMENT CENTER BOARD ROOM
5000 RESEARCH FOREST DRIVE
THE WOODLANDS, TEXAS 77381
October 6, 2011
5:00 p.m.

PRESENT:  Mr. Randy Bates, Chair
Dr. David Holsey, Vice Chair
Ms. Priscilla Kelly, Secretary
Mr. David Vogt, Assistant Secretary
Mr. Tom Forestier
Ms. Linda Good
Mr. Robert Wolfe

ABSENT:  Mr. Robert Adam
Ms. Stephanie Marquard

I. CALL TO ORDER:  Mr. Bates called the workshop and regular meeting of the Board of Trustees to order at 5:07 p.m. after determining a quorum was present.

II. PLEDGE OF ALLEGIANCE:  Dr. Holsey led the Board and guests in reciting the Pledge of Allegiance.

III. CERTIFICATION OF THE POSTING OF THE NOTICE OF THE MEETING:  Chancellor Carpenter confirmed that the Notice for the meeting had been properly posted.  No action was required.  A copy is attached as Exhibit “A.”

IV. INTRODUCTIONS, SPECIAL GUESTS, RECOGNITIONS:  Chancellor Carpenter welcomed Kassia Micek of the Conroe Courier.  Dr. Goodall, vice chancellor academic affairs & student affairs, introduced Juanita Chrysanthou, associate vice chancellor student success.

V. WORKSHOP:  None

VI. CLOSED SESSION:  At 5:11 p.m. Mr. Bates convened the Board in closed session, in accordance with Section 551.001 et. Seq. of the Texas Government Code under one or more of the following provision(s) of the Act:

   Section 551.071 – Consultation With Attorney
   Section 551.072 – Deliberation Regarding Real Property
   Section 551.073 – Deliberation Regarding Prospective Gift
   Section 551.074 – Personnel Matters
   Section 551.076 – Deliberation Regarding Security Devices
   Section 551.087 – Economic Development Negotiations
Mr. Vogt arrived at 5:20 p.m. and Mr. Wolfe arrived at 5:44 p.m.

VII. RECONVENE REGULAR MEETING: Mr. Bates reconvened the open meeting at 6:23 p.m.

VIII. APPROVAL OF THE MINUTES OF THE SEPTEMBER 1, 2011 WORKSHOP AND REGULAR MEETING: Upon a motion by Dr. Holsey and a second to the motion by Ms. Kelly, the Board unanimously approved the minutes of the September 1, 2011 Workshop and Regular Meeting.

IX. CITIZENS DESIRING TO ADDRESS THE BOARD: John Burghduff, professor of math at LSC-CyFair and LSC-CyFair vice president for the LSCS chapter of the American Federation of Teachers and on behalf of the AFT, highlighted the work of LSCS counselors.

X. SPECIAL REPORTS AND ANNOUNCEMENTS:

1. Chancellor: The Chancellor reported as of this Fall, for the first time in history, Lone Star College System has become the largest community college in the state of Texas with enrollment of 75,680 students. The Chancellor stated our important goal is to be not the biggest, but the best.

2. This week’s SACS 10-year reaccreditation visit was the culmination of two years of hard work by a large contingent of the Lone Star College System faculty, staff, students and administrators. Dr. Carpenter thanked everyone, especially Dr. Donetta Goodall, as the point person and leader of this massive undertaking. Dr. Carpenter gave a special thanks to Board Secretary, Priscilla Kelly, Board Vice-Chair, David Holsey and Board Chair, Randy Bates for taking time to meet with the SACS delegation.

   Dr. Carpenter reported the preliminary findings of the Review Team. Only four recommendations were presented by the team at the exit conference:

   a. That outcomes assessment, particularly student learning outcomes, need to be better documented and done more consistently across the system.
   b. That we better document that all faculty have the required credentials to teach their assigned courses. Dr. Carpenter noted of our more than 3,000 faculty, 99.7% are considered in compliance. The System will work on better documentation for the remaining 3 tenths of 1% and make reassignments if necessary.
   c. That we revise our consortial agreement with the University of Houston regarding the two ROTC courses they teach for us to provide more direct academic oversight by Lone Star.
   d. That we remind our system that our mission statement does not stand alone, but is taken in context with our vision and values statements.

3. Lone Star College System has been nationally recognized as one of the top degree producers in the country, ranking 8th overall and 8th for degrees awarded to Hispanics
Dr. Carpenter asked Ray Laughter, vice chancellor external affairs, to report on the recognition from the National Conference for Marketing and Public Relations for our marketing and PR efforts.

Mr. Laughter reported Lone Star College System was awarded Gold Medallion Best in Class for our academic catalog, electronic class catalog, website, radio, print and post card; Silver Medallion for print series, online newsletter and website and the Bronze Medallion for computer generated illustration.

Dr. Carpenter acknowledged John Robertson, treasurer, will be leaving LSCS and thanked him for a job well done.

2. College Presidents: Dr. Susan Karr, president of LSC-Tomball, presented an overview of the progress of LSCS strategic goal ten, plan and achieve quality growth management. Dr. Karr reported that building innovative and high tech learning facilities while considering environmental sustainability has been completed; establishing performance and reporting metrics for anticipated programmatic growth, enrollment growth, personnel needs and capital development has been completed and is ongoing and strengthening security measures across system has been completed and is ongoing.

3. Vice Chancellors: No report.

4. Faculty Senate Presidents: Dr. James Seymour, LSC-CyFair faculty senate president, spoke about the new construction at the colleges. The purpose of the construction was not about the buildings, new equipment, furniture and all of the technology in the classrooms, but that large enrollment growth and the needs of the students were addressed.

XI. CONSIDERATION OF CONSENT AGENDA: Item number 2 was amended by removing “for the purpose of earning an academic degree or certificate” from Board Policy VI D.3.14 and Item number 11 was corrected by removing the position of Vice President, Instruction & Student Services at LSC-University from the contractual appointment list as it is an interim position. Mr. Bates proceeded with the Consent Agenda. Ms. Kelly made a motion to approve Action Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13. Mr. Wolfe seconded the motion and the Board unanimously passed the Consent Agenda. A copy is attached as Exhibit “B.”

XII. POLICY CONSIDERATIONS

1. Consideration of the Order Changing the General Election Date of the Board of Trustees and Adjusting Terms of Office (FIRST READING): the Board unanimously considered the Order (i) changing the General Election date of the Board of Trustees from the second Saturday in May in even numbered years to the second Saturday in May in odd numbered years, and (ii) adjusting the Term of Office of each Board of Trustee member to conform to the new Election date. This constitutes a first consideration with a request for approval during the November Board meeting. A copy is attached as Exhibit “C.”
2. Consideration of Approval of the Recommended Revision of the Lone Star College System Board Policy Section IV.B.2 (SECOND READING) (ACTION ITEM 1): the Board unanimously approved the recommended revisions of the Lone Star College System Board Policy Section IV.B.2. This item was passed in the Consent Agenda. A copy is attached as Exhibit “D.”

3. Consideration for Approval of the Recommended Lone Star College System Board Policy Sections VI D.3.14 (SECOND READING) (ACTION ITEM 2): the Board unanimously approved the recommended Lone Star College System Board Policy Section VI D.3.14. This item was passed in the Consent Agenda. A copy is attached as Exhibit “E.”

XIII. FINANCIAL REPORTS AND CONSIDERATIONS

1. Monthly Financial Statements: Ms. Cindy Gilliam, vice chancellor for administration and finance, presented the monthly financial statements for the month ended August 31, 2011. A copy is attached as Exhibit “F.”

2. Quarterly and Annual Investment Reports: Ms. Cindy Gilliam, vice chancellor for administration and finance, presented the quarterly and the annual investment reports. A copy is attached as Exhibit “G.”

3. Contract Status Report: the Board reviewed the report as presented. A copy is attached as Exhibit “H.”

4. Consideration of Approval to Purchase Additional Services for the Commerce Management System (CMS) (ACTION ITEM 3): The Board unanimously approved the purchase of additional services for the CMS from TouchNet Information Systems, Inc., 15520 College Blvd., Lenexa, KS 66219, for an additional amount of $60,000, bringing the total contract amount to $1,225,243. This item was passed in the Consent Agenda. A copy is attached as Exhibit “I.”

5. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement to Purchase Elevator Maintenance, Safety Inspections, and Repair Services (ACTION ITEM 4): the Board unanimously authorized the Chancellor or designee to negotiate and execute an agreement for the purchase of elevator maintenance, safety inspections, and repair services for the System in the amount of $500,000 annually, for a total estimated amount of $2,500,000 over five years from the following vendors: Thyssen Krupp Elevator, 14820 Tomball Parkway, Suite 190, Houston, TX 77086 and Oracle Elevator Company, 620 Crestside Drive, Duncanville, TX 75137. This item was passed in the Consent Agenda. A copy is attached as Exhibit “J.”

6. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute Agreements to Purchase Campus Parking Management and Enforcement Software for the System (ACTION ITEM 5): the Board unanimously authorized the Chancellor or Designee to negotiate and execute an agreement to purchase campus
parking management and enforcement software from the lowest bidder T2 Systems, Inc., 7835 Woodland Drive, Suite 250, Indianapolis, IN 46278. The term of this agreement will be for five years at a cost of $196,000 for the software, and $35,000 for offsite hosting, for a total annual amount of $231,000. This item was passed in the Consent Agenda. A copy is attached as Exhibit “K.”

7. Consideration of Approval to Purchase Solar and Wind Generators for the Advanced Technology Department at LSC-CyFair (ACTION ITEM 6): the Board unanimously approved the purchase of solar and wind generators for the Advanced Technology Department at LSC-CyFair from the following vendors for an estimated amount of $290,668: Advanced Technologies Consultants, Inc., P.O. Box 905, 110 W. Main St., Northville, MI 46167 and Ignite Solar, 811 Dallas St., Suite 1422, Houston, TX 77002. This item was passed in the Consent Agenda. A copy is attached as Exhibit “L.”

8. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute an Agreement to Purchase Student Motivation Assessment and Retention Management System ACTION ITEM 7): the Board unanimously authorized the Chancellor or designee to negotiate and execute a five year agreement (FY 2012 – 2016) for services and reports provided by the Noel-Levitz Retention Management Center Plus™, 2350 Oakdale Blvd., Coralville, Iowa 52241, for an estimated amount of $120,000 annually and not to exceed $600,000 over five years. This item was passed in the Consent Agenda. A copy is attached as Exhibit “M.”

9. Consideration of Approval to Purchase Catering Services for Lone Star Corporate College (LSCC) Clients at LSC-University Park Conference Center (ACTION ITEM 8): the Board unanimously approved the purchase of catering services for LSCC clients from the approved LSC-University Park food service provider, Luby’s Culinary Services, 13111 Northwest Freeway Suite 600, Houston, TX 77040, for an estimated amount of $260,000 per year for the remaining term of the contract with Luby’s. This item was passed in the Consent Agenda. A copy is attached as Exhibit “N.”

10. Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute Change Orders to the Construction Manager at Risk (CM-at-Risk) Agreement for Renovations at LSC-University Park (ACTION ITEM 9): the Board unanimously authorized the Chancellor or designee to negotiate and execute change orders to the CM-at-Risk agreement with Morganti Texas, Inc., 350 N. Sam Houston Parkway E., Suite 121, Houston, TX 77060, for renovations at LSC-University Park, for an estimated amount of $4,000,000. This increases the total contract value to an estimated amount of $10,000,000 over a period of two years. This item was passed in the Consent Agenda. A copy is attached as Exhibit “O.”

11. Consideration of Approval to Purchase Machining Equipment and Supplies for the Welding Program at LSC-North Harris (ACTION ITEM 10): the Board unanimously approved the purchase of Welding Equipment and Supplies for the Welding Program at LSC-North Harris from the following awarded vendors for an estimated amount of $190,209: Grainger, 16741 North Freeway, Houston, TX 77090
XIV. **BUILDING AND GROUNDS REPORT:**

Construction Projects Update: the Board reviewed the report as presented. A copy is attached as Exhibit “Q.”

XV. **PERSONNEL REPORTS AND CONSIDERATIONS:**

1. **Consideration of Ratification of Appointments (ACTION ITEM 11):** the Board unanimously ratified the appointments as presented. This item was passed in the Consent Agenda. A copy is attached as Exhibit “R.”

2. **Consideration of Acceptance of Resignations (ACTION ITEM 12):** the Board unanimously accepted the resignations as presented. This item was passed in the Consent Agenda. A copy is attached as Exhibit “S.”

3. **Consideration of Approval of Commissioning of Peace Officers (ACTION ITEM 13):** the Board unanimously approved the commissioning of the following peace officers for the Lone Star College System: LSC-North Harris - James L. Ramey (Part-Time); LSC-CyFair – Semi Aslam, Tanyanika A. Tidwell and Juvencio Ramos III (Part Time); LSC-Kingwood – Tawni N. Robinette; LSC-Montgomery – Edwin Gomez and Albert Lynch; LSC-Tomball – Jerod T. Tunstall; LSC-University Park – Fernando Gonzales and Hector E. Figueroa. This item was passed in the Consent Agenda. A copy is attached as Exhibit “T.”

XVI. **SUGGESTED FUTURE AGENDA ITEMS:** None

XVII. **ADJOURNMENT:** There being no further business, the meeting was adjourned at 7:00 p.m.

ATTEST:

_________________________________   ______________________________
Board of Trustees, Chair     Board of Trustees, Secretary
MINUTES OF THE
WORKSHOP AND REGULAR MEETING OF THE BOARD OF TRUSTEES
LONE STAR COLLEGE SYSTEM
CENTRAL SERVICES AND TRAINING CENTER
TRAINING AND DEVELOPMENT CENTER BOARD ROOM
5000 RESEARCH FOREST DRIVE
THE WOODLANDS, TEXAS 77381
November 3, 2011
5:00 p.m.

PRESENT: Mr. Randy Bates, Chair
Dr. David Holsey, Vice Chair
Mr. David Vogt, Assistant Secretary
Mr. Robert Adam
Ms. Linda Good
Ms. Stephanie Marquard

ABSENT: Ms. Priscilla Kelly, Secretary
Mr. Tom Forestier
Mr. Robert Wolfe

I. CALL TO ORDER: Mr. Bates called the workshop and regular meeting of the Board of
Trustees to order at 5:04 p.m. after determining a quorum was present.

II. PLEDGE OF ALLEGIANCE: Ms. Marquard led the Board and guests in reciting the
Pledge of Allegiance.

III. CERTIFICATION OF THE POSTING OF THE NOTICE OF THE MEETING:
Chancellor Carpenter confirmed that the Notice for the meeting had been properly
posted. No action was required. A copy is attached as Exhibit “A.”

IV. INTRODUCTIONS, SPECIAL GUESTS, RECOGNITIONS: Chancellor Carpenter
welcomed Kassia Micek of the Conroe Courier.

V. WORKSHOP: None

VI. CLOSED SESSION: At 5:05 p.m. Mr. Bates convened the Board in closed session, in
accordance with Section 551.001 et. Seq. of the Texas Government Code under one or
more of the following provision(s) of the Act:

   Section 551.071 – Consultation With Attorney
   Section 551.072 – Deliberation Regarding Real Property
   Section 551.073 – Deliberation Regarding Prospective Gift
   Section 551.074 – Personnel Matters
   Section 551.076 – Deliberation Regarding Security Devices
Mr. Vogt arrived at 5:10 p.m.

VII. **RECONVENE REGULAR MEETING:** Mr. Bates reconvened the open meeting at 5:50 p.m.

VIII. **APPROVAL OF THE MINUTES OF THE OCTOBER 6, 2011 WORKSHOP AND REGULAR MEETING:** A quorum was not established for acknowledgement of the minutes of the October 6, 2011 Workshop and Regular Meeting. The minutes will be carried forward to the December 1, 2011 Workshop and Regular Meeting for approval.

IX. **CITIZENS DESIRING TO ADDRESS THE BOARD:** Mr. Joe C. Ramirez is president and founder of the Hispanic Executive Society International. HESI’s primary focus is education, career development, leadership and entrepreneurship for Hispanics and Latinos. Mr. Ramirez distributed information about HESI.

John Burghduff, professor of math at LSC-CyFair and LSC-CyFair vice president for the LSCS chapter of the American Federation of Teachers and on behalf of the AFT, presented the employee complaint and grievance policy from Austin Community College and distributed to the Board.

X. **SPECIAL REPORTS AND ANNOUNCEMENTS:**

1. **Chancellor:** The Chancellor reported the Texas Higher Education Coordinating Board unanimously approved our request to designate LSC-University Park as LSCS sixth campus at their October meeting, effective January 2012.

The Texas Higher Education Coordinating Board also approved the bacterial meningitis vaccination procedures and requirements. Entering students at public and private or independent institution of higher education are required to show evidence of being immunized against bacterial meningitis. Entering student is a new student, entering higher education for the first time, including a student who transfers from another institution and a returning student who previously attended an institution of higher education before January 1, 2012, AND who is enrolling in the same or another institution following a break in enrollment of at least one fall or spring semester. THECB approved the following exceptions: the student is 30 years of age or older; or is enrolled only in online or other distance education courses; or is enrolled in continuing education courses or program that is less than 360 contact hours; or continuing education corporate training; or student is enrolled in a dual credit course not located on a higher education institution campus; or is incarcerated in a Texas prison; or if the vaccination would be injurious to the health and well-being of the student; or that the student declines for reason of conscience or religious belief.
Dr. Carpenter reported the cost of the vaccination ranges from $68-$180, depending on the clinic or office offering the immunization. LSCS has signed an agreement with a company who will process the needed documentation at the cost to students of $10 and we have an agreement with a federally subsidized community care clinic to provide the vaccination to students who are required to take the vaccination at a cost of $10 at any of our campuses. Website information is available to students with specifics about the vaccination and resources. Students will not be prevented from enrolling for classes if they do not receive the vaccination.

The lead paragraph in this week’s US News and World Report article entitled “Survey Highlights How Technology is Used in Higher Education” is about a survey that Lone Star’s Office of Technology Services gave to students that showed that 78% of degree seekers felt that when technology is used properly on campus, they can improve their grades and become more engaged in their learning experience.

Each year, the Center for Digital Education invites all US community colleges to participate in its annual Digital Community College survey. The survey recognizes community colleges that provide a high level of service to their faculty, students and communities through information technology. In September e.Republics Center for Digital Education and Converge Online awarded Lone Star second place winner in the large college category.

2. **College Presidents:** Dr. Steve Head, president of LSC-North Harris, presented an overview of LSCS strategic goal one for 2012-2015, increase completion and achievement of all students. The specific actions to be taken to reach Goal 1 are: 1.1) strengthen all academic and student support services; 1.2) focus on discipline-specific advising opportunities; 1.3) develop a method to track student goals and completion and 1.4) strengthen clarity of degree program course requirements.

3. **Vice Chancellors:** No report.

4. **Faculty Senate Presidents:** Mr. Jason LaPres, LSC-University Park faculty senate president, discussed ways to retain our adjunct faculty. With approximately 60% of instructional course load being taught by adjunct faculty, with a majority teaching high risk areas such as developmental math and developmental English, Mr. LaPres suggested that using strategic goal five for 2012-2015, recruit and retain talented full and part-time faculty, administrators and staff, as a guide would assist in making improvements to help retain LSCS talented adjunct staff.

**XI. CONSIDERATION OF CONSENT AGENDA:** Mr. Bates proceeded with the Consent Agenda. Ms. Marquard made a motion to approve Action Items 1, 2 and 3. Ms. Good seconded the motion and the Board unanimously passed the Consent Agenda. A copy is attached as Exhibit “B.”
XII. POLICY CONSIDERATIONS

1. Consideration of Approval of the Order Changing the General Election Date of the Board of Trustees and Adjusting Terms of Office (SECOND READING) (ACTION ITEM 1): the Board unanimously approved the Order (i) changing the General Election date of the Board of Trustees from the second Saturday in May in even numbered years to the second Saturday in May in odd numbered years, and (ii) adjusting the Term of Office of each Board of Trustee member to conform to the new Election date. This item was passed in the Consent Agenda. A copy is attached as Exhibit “C.”

2. Consideration for the Recommended Revision of the Lone Star College System Board Policy Section VI (FIRST READING): the Board unanimously considered the recommended revisions of the Lone Star College System Board Policy Section VI. This constitutes a first consideration with a request for approval during the December Board meeting. A copy is attached as Exhibit “D.”

3. Consideration of the Recommended Revision of the Lone Star College System Board Policy Section I D.2.03 (FIRST READING): the Board unanimously considered the recommended revisions of the Lone Star College System Board Policy Section I D.2.03. This constitutes a first consideration with a request for approval during the December Board meeting. A copy is attached as Exhibit “E.”

XIII. FINANCIAL REPORTS AND CONSIDERATIONS

1. Monthly Financial Statements: Ms. Cindy Gilliam, vice chancellor for administration and finance, presented the monthly financial statements for the month ended September 30, 2011. A copy is attached as Exhibit “F.”

XIV. BUILDING AND GROUNDS REPORT:

Construction Projects Update: the Board reviewed the report as presented. A copy is attached as Exhibit “G.”

XV. PERSONNEL REPORTS AND CONSIDERATIONS:

1. Consideration of Ratification of Appointments (ACTION ITEM 2): the Board unanimously ratified the appointments as presented. This item was passed in the Consent Agenda. A copy is attached as Exhibit “H.”

2. Consideration of Approval of Commissioning of Peace Officers (ACTION ITEM 3): the Board unanimously approved the commissioning of the following peace officers for the Lone Star College System: LSC-North Harris – Pierre G. Barthe (Part-Time); and LSC-Tomball – Randal L. Bass (Part-Time). This item was passed in the Consent Agenda. A copy is attached as Exhibit “I.”
XVI. **SUGGESTED FUTURE AGENDA ITEMS:** None

XVII. **ADJOURNMENT:** There being no further business, the meeting was adjourned at 6:34 p.m.

ATTEST:

_________________________________   ______________________________
Board of Trustees, Chair               Board of Trustees, Secretary
MINUTES OF THE
BOARD OF TRUSTEES RETREAT
LONE STAR COLLEGE SYSTEM
WOODLANDS RESORT & CONFERENCE CENTER
CYPRESS ROOM
2301 N. MILLBEND DRIVE
THE WOODLANDS, TX  77380.
NOVEMBER 4-5, 2011
3:30 P.M.

PRESENT:  Mr. Randy Bates, Chair
Dr. David Holsey, Vice Chair
Mr. David Vogt, Assistant Secretary
Mr. Robert Adam
Ms. Linda S. Good
Ms. Stephanie Marquard
Mr. Robert Wolfe

ABSENT:  Ms. Priscilla Kelly, Secretary
Mr. Tom Forestier

I.  CALL TO ORDER:  Chairman Bates called the November 4-5, 2011 Board Retreat Meeting to order at 3:45 p.m. after determining a quorum was present.

II.  CERTIFICATION OF THE POSTING OF THE NOTICE OF THE MEETING:
The Chancellor certified that the Notice for the meeting had been properly posted. No action was required. A copy is attached as Exhibit “A.”

III.  REACT EMERGENCY MANAGEMENT SYSTEM:  Denise Walker, chief emergency management officer, presented and overview and demonstration of the new REACT emergency management system that will be deployed system wide.

Mr. Wolfe entered the meeting at 4:03 p.m.

IV.  CHANCELLOR’S REMARKS:  Dr. Carpenter explained that a decrease in TRS funding from the state will have a $12 million impact on the system over the next biennium. We had anticipated that this might happen, so had budgeted accordingly. He discussed the impact of several riders to HB 1 that impact higher education and community colleges including riders # 53, 8 and 33. He distributed the fall 2011 enrollment report for Texas community colleges. He discussed the recommendations in the SACS Report of the Reaffirmation Committee.

Mr. Vogt entered the meeting at 4:59 p.m.
V. **RESEARCH AND INSTITUTIONAL EFFECTIVENESS:** Siobhan Fleming, associate vice chancellor office of research and institutional effectiveness, provided an overview of student success issues including work being done for Completion by Design.

VI. **RECESS:** Mr. Bates recessed the meeting at 5:33 p.m. Mr. Wolfe left the meeting.

VII. **RECONVENE OPEN MEETING:** Chairman Bates reconvened the Retreat Meeting at 7:35 p.m.

VIII. **BOARD WORKSHOP:** Suzanne Walsh, senior program officer post-secondary success, Bill and Melinda Gates Foundation, presented an overview of the selection process to be included in Completion by Design (CBD) and the CBD framework.

IX. **RECESS:** Mr. Bates recessed the meeting at 9:05 p.m.

X. **RECONVENE OPEN MEETING:** Chairman Bates reconvened the Retreat Meeting at 8:13 a.m.

XI. **SACS ACCREDITATION SUMMARY:** Donetta Goodall, vice chancellor academic affairs and student success, presented a summary of recommendations by the SACS reaffirmation committee and how we intend to address them. The chancellor noted that the report was set up with SACS standards followed first by the narrative from the off-site review committee and then by the narrative from the on-site review committee. The Board discussed how we measure and impact student success.

XII. **UNIVERSITY PARK UPDATE:** Shah Ardalan, chief information officer and CEO, LSC-UP, presented an overview of the history of LSC-UP and future plans.

XIII. **RECESS:** Mr. Bates recessed the meeting at 10:45 a.m.

XIV. **RECONVENE OPEN MEETING:** Chairman Bates reconvened the Retreat Meeting at 11:00 a.m.

XV. **TECHNOLOGY:** Link Alander, associate vice chancellor technology services, presented an overview of the past, present and future state of information technology at LSCS and the impacts of growth and the difficulty of recruiting and retaining staff in the high demand technology field.

XVI. **FINANCIAL AID UPDATE:** Steve Head, president LSC-North Harris, presented an overview of the continuing growth in financial aid numbers and the challenges presented by that growth.

XVII. **BUDGET ALLOCATION MODEL:** Cindy Gilliam, vice chancellor administration and finance, updated the board on the budget allocation model.
XVIII. POLICE REPORT/RECRUITS: Rand Key, senior vice chancellor/COO presented an update on police and security since the department had been centralized. He noted that salaries had been increased to the state average and that we pay close attention to recruiting women and minority officers.

XIX. DISCUSSION: The Board discussed the timing of receiving draft polices in advance of the first reading. The board agreed to continue with current practice in which they receive the draft policies two weeks in advance of the board meeting.

XX. ADJOURNMENT: Chairman Bates adjourned the meeting at 1:29 p.m.

ATTEST:

____________________________   ____________________________
Board of Trustees, Chair      Board of Trustees, Secretary
Consideration of Consent Agenda

Consent Agenda:

A roll call of individual action items will determine the consent agenda. If a trustee has a question or plans to cast a negative vote regarding a specific recommendation, then the trustee/trustees need to acknowledge their intention to the Chair by show of hand during the roll call: this action item will be considered in the regular order of business as an individual action item.

Those action items that the trustees plan to approve without further question or discussion will be placed on the consent agenda during roll call of individual action items. Upon the creation of the consent agenda, a motion, a second to the motion, and unanimous approval of the Board of Trustees is needed to approve the action items. Upon approval of the consent agenda, the Board of Trustees will proceed with the remainder of the agenda.

Rationale: The consent agenda format is an organization process for meetings that allows the governing board to focus their time and attention on action items that require more elaboration, information, and/or discussion. The intent of the consent agenda is to support efficiency and effectiveness of the meeting.

Tally of Action Items:

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<td>12</td>
<td>Approve Commissioning of Peace Officers</td>
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Request: Consideration of Approval for the Recommended Revision of the Lone Star College System Board Policy Section VI (SECOND READING)

Chancellor’s Recommendation: That the Board of Trustees approve the recommended revisions of the Lone Star College System Board Policy Section VI.

Rationale: The recommended policy considerations will bring consistency and compliance with state and/or federal law in key areas such as student records, tuition refunds, financial aid, student welfare and rights, students with disabilities, student code of conduct and investigation of student code violations.

Fiscal Impact: None

Staff Resource: Richard Carpenter 832-813-6515
Brian Nelson 832-813 6655
SECTION VI – STUDENTS

A. ADMISSIONS

1. Admission and Student Records

A.1.01 - Policy

Lone Star College System District ("LSCS" and/or the "System"), an open enrollment junior college system, shall implement uniform strategies to identify, attract, enroll, and retain students who reflect the population demographics of the System.

A.1.02 - Eligibility

The following persons are eligible for admission:

a. Persons awarded a GED or high school diploma;

b. Persons without a GED or high school diploma may be admitted under the exceptional admission criteria;

c. Persons without a GED or high school diploma may be admitted by individual approval by the Chief Academic Officer;

d. Students with F-1 Visas or other visa allowing the student to legally enroll in the System;

e. High school students in the dual credit program or Early College program;

f. High school students who meet the requirements for the Early Admissions Program.

A.1.03 - Academic Fresh Start

A resident of Texas may seek admission to LSCS without consideration of courses undertaken ten (10) or more years prior to the starting date of the semester in which the applicant seeks to enroll. The applicant must file a "Right to Academic Fresh Start" form with the Chief Student Services Officer. An applicant who elects to apply under this section and is admitted as a student may not receive any course credit for courses undertaken ten (10) or more years prior to enrollment. Note: Such an election does not affect an applicant's academic probation or suspension standings for financial aid purposes.
A.1.04 - Special Admission Requirements

Special admission requirements may be called for by certain programs of LSCS, as specified in the annual LSCS catalog.

A.1.05 - Readmission After Military Service

This section applies only to a student who withdraws from LSCS to perform active military service as a member of the United States Armed Forces or the Texas National Guard. This section does not apply to a student who withdraws from LSCS solely to perform one or more training exercises as a member of the Texas National Guard. For any academic semester that begins after the date a student described above is released from active military service, but not later than the first anniversary of that date, LSCS shall readmit the student without requiring reapplication or charging a fee for readmission if the student is otherwise eligible to register for classes at LSCS. Upon readmission of the student under this section, LSCS shall:

a. provide the student a financial aid packet similar to the one for which the student was eligible prior to withdrawal for military service, so long as the student meets the current financial aid eligibility requirements and conditions for assistance; and

b. allow the student the same academic status that the student had before the student's withdrawal for military service, including any course credit awarded to the student by LSCS.

A.1.06 - Student Records

All LSCS students are afforded the following rights with respect to their education records in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA):

a. the right to inspect and review their education records within forty-five (45) days of the day LSCS receives a written request for access;

b. the right to request the amendment of his or her education records if the student believes the records to be inaccurate, misleading, or in violation of the student's rights of privacy;

c. the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
d. the right to file a complaint with the Family Policy Compliance Office, U.S. Department of Education, concerning alleged failures by LSCS to comply with the requirements of FERPA.

Release of information pertaining to a student's records must be authorized by the student, except where allowed by law and this policy.

A student requesting access to his or her education records must provide proof of identity (photo identification, which may include student ID card, driver's license, passport, etc.).

Directory information refers to the following information collected by LSCS with respect to each student enrolled:

a. name;

b. address;

c. enrollment status (full-time or part-time);

d. LSCS e-mail addresses;

e. local telephone number;

f. date and place of birth;

g. degrees, honors, and awards received;

h. residency status;

i. academic level;

j. academic major;

k. college;

l. dates of attendance;

m. participation in officially recognized activities and sports;

n. photograph; and

o. most recent educational institution attended.
Directory information may be released to an inquirer without the consent of the student, unless the student requests that such directory information not be disclosed by requesting such with the Office of Student Records and/or updating their privacy setting through MyLonestar.

Unless otherwise directed by the student, as stated in the preceding paragraph, directory information is subject to sale to outside purchasers.

Personally identifiable information may not be released without the student's written consent, except under the following circumstances or to the individuals/organizations listed below:

a. LSCS officials, including faculty or instructors, who have a legitimate educational interest in the information;

b. Officials of other educational institutions in which the student seeks admission or intends to enroll provided that the student, upon request, receives a copy of the record that has been transferred and has an opportunity to challenge the content of the record;

c. Authorized representatives of the U.S. including the comptroller general, the attorney general, the secretary of education, or state and local educational authorities who require access for the purpose of audit and evaluation of federal-or state-supported education programs or the enforcement of and compliance with legal requirements related to such programs; or

d. Personnel involved with a student's application for, or receipt of, financial aid. Personally identifiable information from the education records of the student will only be disclosed for such purposes as:
   i. determining the eligibility of the student for financial aid;
   ii. determining the amount of financial aid;
   iii. determining the conditions that will be imposed regarding the financial aid; or
   iv. enforcing the terms or conditions of financial aid.

e. To accrediting organizations in order to carry out their accrediting functions.

f. In connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or others.
g. To comply with a judicial order or lawfully issued subpoena, provided LSCS makes a reasonable effort to notify the student of the order or subpoena in advance of compliance. Notification may be prohibited if LSCS receives a federal grand jury subpoena or any other subpoena which states that the student should not be notified. The Office of the General Counsel shall be consulted prior to release of the record.

h. To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1954. The parents must provide a copy of their most recent federal income tax return establishing the student’s dependency.

i. To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.

LSCS Policy Manual Section adopted by the Board of Trustees on August 7, 2008

B. TUITION AND FEES

1. Residency Policy

   B.1.01 - General Policy

   Texas residency shall be determined according to state statute and Texas Higher Education Coordinating Board rules.

   The LSCS Board of Trustees is responsible for establishing a tuition and fee structure that shall apply to eligible in-District Texas residents. Students who are out-of-District Texas residents or international/out-of-state residents will be assessed an additional fee.

   B.1.02 - In-District Texas Residents

   An in-District Texas resident is defined as:

   a. a person younger than 18 years of age, whose parents or legal guardians have been residents of Texas for the 12 months preceding enrollment, and are physically residing within the taxing district boundaries of LSCS as of the official enrollment reporting date; or
b. a person 18 years of age or older, who has been a resident of Texas for the 12 months preceding enrollment, and is physically residing within the taxing district boundaries of LSCS as of the official enrollment reporting date.

B.1.03 - Out-of-District Texas Residents

An out-of-District Texas resident is defined as:

a. a person younger than 18 years of age, whose parents or legal guardians have been residents of Texas for the 12 months preceding enrollment, and physically residing outside the taxing district boundaries of LSCS as of the official enrollment reporting date; or

b. a person 18 years of age or older, who has been a resident of Texas for the 12 months preceding enrollment, and physically residing outside the taxing district boundaries of LSCS as of the official enrollment reporting date.

B.1.04 - Waiver of Out-of-District Texas Resident Tuition and Fees

a. Ad Valorem Taxpayers: Persons, or their dependents, who are not residents of the District (as defined in B.1.02), but own property which is subject to ad valorem taxation by the District, shall pay tuition and fees at the rate applicable to students who reside in the District.

Persons, or their dependents, applying for such waiver shall verify property ownership by the following:

i. an ad valorem tax statement or receipt issued by the tax office of the District; or

ii. a deed, property closing statement, or other appropriate evidence of ownership of property, which is subject to ad valorem taxation by the District.

If a sworn affidavit is accepted at the time of enrollment, verification of the student as an ad valorem taxpayer must be provided prior to the last day a student is eligible to withdraw and receive a full refund.

A foreign student is not eligible for waiver of the International/out-of-state resident fee due to payment of ad valorem taxes.
b. Employee Family Members: Immediate family members of full-time employees who reside outside the District are eligible to pay tuition and fees at the rate applicable to students who reside in the District.

B.1.05 - Economic Development and Diversification Exception

A person who has come from outside Texas and enrolls in LSCS before having resided in Texas for 12 months preceding enrollment is entitled to pay the tuition and other fees required of Texas residents. This exception applies only if the person or an adult member of the person's family who resides in the person's household and is the primary caretaker has relocated to Texas as an employee of a business or organization that became established in this state as part of the state economic development and diversification program authorized by the laws of this state. The enrollee must file with LSCS a letter of intent to establish residency in Texas.

B.1.06 - Texas Tomorrow Fund and Texas Guaranteed Tuition Plan

Beneficiaries of the Texas Tomorrow Fund or Texas Guaranteed Tuition Plan shall pay resident tuition and required fees for semester hours paid under the prepaid tuition contract.

B.1.07 - Homeless Individuals

A homeless individual, as defined by 42 U.S.C. Sec. 11302, who resides in Texas for 12 months preceding enrollment, but who does not have a permanent residence, shall be classified as a resident student only for purposes of workforce education courses.

Under this section, documentary proof of homeless status may consist of written statements from the office of one or more legitimate social service agencies located in Texas, attesting to the provision of services to the individual over the past 12 months.

B.1.08 - Texas Residents

A Texas resident is entitled to pay resident tuition. A Texas resident is defined as:

a. a person who:

   i. graduated from a public or accredited private high school in this state, home school program or, as an alternative to high school graduation, received the equivalent of a high school diploma in this state, and

   ii. maintained a residence continuously in this state for:
- the thirty-six (36) months immediately preceding the date of graduation or receipt of the diploma equivalent, as applicable; and

- the twelve (12) months preceding the census date of the academic semester in which the person enrolls in an institution;

b. a person who:
   i. established a domicile in this state not less than twelve (12) months before the census date of the academic semester in which the person enrolls; and

   ii. maintained that domicile continuously for the twelve (12) months preceding that census date;

c. a dependent whose parent:
   i. established a domicile in this state not less than twelve (12) months before the census date of the academic semester in which the dependent enrolls; and

   ii. maintained that domicile continuously for the twelve (12) months preceding that census date.

B.1.09 - Visa-Holder or Petitioner for Lawful Residency

Students who hold visas that enable them to domicile in the United States are allowed to be treated like permanent residents of Texas if:

a. They have resided continuously in Texas for twelve (12) months prior to the official day of record for the enrollment semester.

b. Students (regardless of their immigration status) for whom a Petition for Permanent Resident Status (I-130 or I-140) has been filed by a sponsor, can also be treated like permanent residents. Students who fall into this category must provide proof of eligibility by showing a copy of their CIS receipt for when the petition was filed. The document must include the student's name and the form that was filed.

A student (regardless of their immigration status) who enrolls in LSCS shall be classified a resident of Texas for tuition purposes if he or she:

a. graduated from a Texas public or accredited private high school or, as an alternative to high school graduation, received the equivalent of a high school diploma;
b. resided continuously in Texas for at least thirty-six (36) months immediately prior to graduating or receiving a diplomacy equivalent;

c. resided continuously in Texas for the twelve (12) months prior to the official day of record for the enrollment semester; and

d. provided to LSCS an affidavit indicating his or her intention to file an application to become a permanent resident of the United States at the earliest opportunity he or she is eligible to do so.

B.1.10 - Armed Forces Out-of-State Waiver - Duty Assignments in Texas

Officers, enlisted persons, selectees, or draftees of any branch of the United States Armed Forces, whether Regular or Reserve (i.e., Army, Army National Guard, Air Force, Air National Guard, Navy, Marine Corps, commissioned officer of the Public Health Service, or Coast Guard), who are assigned to duty in Texas, are entitled to pay out-of-District Texas resident tuition and fees, without regard to length of time assigned to duty or resided in Texas. This waiver applies similarly to the spouses and dependent children of such service members.

However, out-of-state Army National Guard or Air National Guard members attending training with Texas Army or Air National Guard units under National Guard Bureau regulations are not entitled to the waiver merely by virtue of their training status. Also, out-of-state Army, Air Force, Navy, Marine Corps, or Coast Guard Reserve members who are training with units in Texas under similar regulations are not entitled to the waiver merely by virtue of their training status, even if they routinely drill or train in Texas.

Members of the Army or Air National Guard, or Reserve forces, are only entitled to pay out-of-District Texas resident tuition and fees if they become members of Texas units or otherwise become Texas residents.

As long as they reside continuously in Texas, the spouses and dependent children of United States Armed Forces service members are entitled to the waiver during subsequent duty assignments of such service members.

B.1.11 - Armed Forces Dependent Waiver - Duty Assigned Not in Texas

A spouse or dependent child of a United States Armed Forces service member who is not assigned to duty in Texas but who has previously resided in Texas for a six-month period is entitled to pay out-of-District Texas resident tuition and fees for a semester, if the service member:
has executed, at least one year preceding the first day of the semester, a
document with the applicable military service that is in effect on the first day of
the semester and that:

i. indicates that the service member's permanent resident address is in Texas;
and

ii. designates Texas as the service member's place of legal residence for
income tax purposes;

b has been registered to vote in Texas for the entire year preceding the first day
of the semester; and

c. has satisfied at least one of the following requirements:

i. for the entire year preceding the first day of the semester has owned real
property in Texas and in that time has not been delinquent in the payment
of any taxes on the property; or

ii. has had an automobile registered in Texas for the entire year preceding the
first day of the semester; or

iii. at least one year preceding the first day of the semester has executed a will
that has not been revoked or superseded, indicating that the service member
is a resident of this state, and has deposited the will with the county clerk of
the county of the service member's residence under Section 71 of the Texas
Probate Code.

If a member of the Armed Forces of the United States is stationed outside Texas and
the member's spouse or child resides in Texas and files with the System a letter of
intent to establish residence in Texas, the System shall permit the spouse or child to
pay the tuition, fees, and other charges provided for Texas residents without regard to
length of time that the spouse or child has resided in Texas.

**B.1.12 - International/Out-of-State Residents**

An international/out-of-state resident is defined as a person less than 18 years of age
who lives away from his or her family, and whose parents or legal guardians physically
reside outside of the state of Texas for the twelve (12) months preceding the semester
of enrollment, or a person 18 years of age or older who has not established Texas
residency.

An individual who enters the state under a visa that does not allow the establishment of
a domicile, and who is later granted permanent resident status while in Texas may not
be reclassified for tuition purposes until he or she has resided in Texas a minimum of
twelve (12) consecutive months from the date on which he or she applied for permanent resident status.

B.1.13 - Information Required to Initially Establish Resident Status

LSCS shall require a student to complete Core Residency Questions, which shall become part of the application process. LSCS may request documentation supporting residency in order to resolve issues raised by responses to the Core Residency Questions. All registrants classified as Texas residents must affirm the correctness of that classification by signing an oath of residency as part of the admissions process. If a student's classification becomes inappropriate or incorrect for any reason, the student must inform the System's admissions office at the specific college. Failure to do so will result in a violation of the oath of residency and may result in disciplinary action by the System.

B.1.14 - Errors in Residency Classification

If LSCS erroneously classifies a person as a resident of this State, and the person is not entitled or permitted to pay resident tuition, then LSCS shall charge the nonresident tuition to the person beginning with the first semester that begins after the date the error is discovered.

Regardless of the reason for the error, if LSCS erroneously classifies a person as a nonresident of this state, then LSCS shall charge resident tuition to the person beginning with the semester in which the error is discovered. LSCS immediately shall refund the person the amount of tuition the person paid in excess of resident tuition.

B.1.15 - Dual Credit Tuition Reduction

Students enrolled in a Texas High School will receive a 100% tuition reduction for all approved courses taken for dual credit

B.1.16 - Notice of Repeated Courses and Excessive Undergraduate Hours

LSCS may charge a student tuition at a higher rate than would otherwise be charged for certain repeated courses or excessive hours. The rate and criteria will be published in the LSCS catalog.

LSCS shall give written notice to each new undergraduate student of the maximum limit, set by law, of the number of credit hours or types of courses that a student claiming Texas residency may take while paying tuition at the rate provided for Texas residents and the tuition rate that will be charged to affected students.
B.1.17 - Tuition Waiver Based on Contractual Training Agreements

Where the full cost, or a significant portion of the cost for a continuing education program or training course, including facilities, instructional salaries, equipment and other expenses, has been covered by a business, industry, or other local public or private client, whether in-cash or in-kind, tuition may be set at the rate stated in the contractual training agreement. In no event will this tuition waiver apply where the cash or in-kind contribution fails to cover at least instructional salaries. The Chancellor may authorize exceptions to this policy and shall report the same to the Board on, at least, an annual basis.

LSCS Policy Manual Section adopted by the Board of Trustees on August 7, 2008

2. Installment Plans

B.2.01 - Installment Payment Options

The Board shall provide for payment of tuition and fees during the fall and spring semesters according to one of the following alternatives:

a. full payment of tuition and fees in advance of the beginning of the semester; or

b. payment in installments under one or more payment plan options that require the first payment to be made in advance of the beginning of the semester and the final payment to be made before the last day of the semester.

Installment plans are not available for mini-semester classes or summer semester classes.

B.2.02 - Execution of Installment Documents

On-line enrollment for an installment payment plan is required. LSCS requires each student who elects to pay tuition and fees by installment to execute electronic documentation reflecting the terms and conditions of this privilege. Said documentation shall incorporate a written agreement outlining the terms of the arrangement, a promissory note securing the debt, and an assignment by the student of any financial aid award to the extent of coverage of the tuition and fee obligation.

B.2.03 - Notice Regarding Failure to Pay All Tuition and Fees

The following statement in bold-faced type or in capital letters shall be included in any promissory note signed by a student:
"A student who fails to make full payment of tuition and fees, including any incidental fees, by the due date may be prohibited from registering for classes until full payment is made. A student who fails to make full payment prior to the end of the semester or session may be denied credit for the work done that semester or session."

B.2.04 - Procedure for Applying Financial Aid Award

Upon receipt of a student's satisfactorily completed electronic installment payment plan, LSCS shall apply that student's awarded financial aid toward the amount of tuition and fees due for that semester or summer session until the tuition and fees are paid in full. LSCS shall immediately release any remaining amount of the award to the student.

B.2.05 - Due Dates Postponed with Assignment of Financial Aid Award

LSCS may postpone the due date for the payment of all or part of the tuition and fees for a student for a semester or summer session in which the student will receive one or more delayed financial aid awards if:

a. the student has not received the awards by the regular due date for payment of tuition and fees; and

b. the student agrees to assign to LSCS a portion of the awards equal to the amount of tuition and fees for which the due date is postponed.

B.2.06 - Enrollment Adjustment

LSCS will notify a student of any delinquent tuition or fees as soon as practicable. LSCS's records may be adjusted to reflect the student's failure to properly enroll for that semester by not making timely payment.

B.2.07 - Installment Payment Option Fee

A student who elects to pay tuition and fees under an installment payment plan will incur an additional enrollment fee, payable at the time of enrollment, for each semester that the student elects to pay by installment.
3. Refund Policy

B.3.01 - Withdrawal for Military Service

If a student withdraws because he or she is called to active military service, LSCS, at the student's option, shall:

a. refund the tuition and fees paid by the student for the semester in which the student withdraws;

b. grant the student an incomplete grade in all courses by designating "withdrawn-military" on the student's transcript; or

c. as determined by the instructor, assign an appropriate final grade or credit to a student who has satisfactorily completed a substantial amount of coursework and has demonstrated sufficient mastery of the course material.

B.3.02 - General Policy

The System, as soon as practicable, shall refund tuition and mandatory fees according to a published schedule.

Note: Title IV (Federal Pell Grant, FSEOG, FFE Loans) aid recipients are subject to a different policy upon complete withdrawal from classes (See B.3.05, below).

B.3.03 - Schedule of Refunds - General Refund

For Coordinating Board-approved semester-length courses for which semester credit hours are awarded, refunds of tuition and fees is as follows:

a. If the System cancels or discontinues a scheduled course, a 100 percent refund is granted.

b. If a student drops a course or withdraws prior to the first day of class, a 100 percent refund is granted (with an exception of the registration fee, installment plan payment fee, and any late fee(s) as applicable).

c. Students dropping courses during the fall or spring semesters:

   i. Prior to the first calendar day of the semester will receive a 100% refund.

   ii. During the first 15 calendar days of the semester will receive a 70% refund.
iii. During the 16th through 20th calendar days of the semester will receive a 25% refund.

iv. After the 20th calendar day of the semester will receive no refund.

d. Students dropping courses during the six-week summer semester:

i. Prior to the first calendar day of the semester will receive a 100% refund:

ii. During the first five calendar days of the semester will receive a 70% refund.

iii. During the sixth and seventh calendar days of the semester will receive a 25% refund.

iv. After the seventh calendar class day of the semester, no refund is will be granted.

B.3.04 - Schedule of Refunds - Flex Entry and Non-Semester Length

For flex entry and non-semester-length courses, with a census date other than the 12th class day (fourth class day for a six-week summer semester):

a. Prior to the first class day, a 100 percent refund is granted.

b. After classes begin, refunds are granted as per the prescribed formula in Title 19 Section 21.5 of the Texas Administrative Code.

B.3.05 - Schedule of Refunds - Title IV Assistance Refund Policy

Students who withdraw prior to the 60 percent date in the enrollment term will be required to return money to both the federal government and LSCS based on the following guidelines:

a. The percent of the term that the student completes will be the percent of the amount of Title IV assistance that the student earned.

b. The percentage earned will be calculated and the remaining amount not earned by the student will be required to be returned.

c. LSCS's Financial Aid Office will notify the student of the amount of funds that the student needs to return to the federal government and LSCS. The student will have 45 days to repay the funds.
d. The student must repay the full amount, or make payment arrangements with the Department of Education, in order to maintain eligibility for Title IV funds.

e. The student must repay the school funds, make satisfactory repayment arrangements with LSCS’s business office, or the student may be denied future registration, transcripts and grades.

f. The refund will be returned to the Title IV programs in the following order:

   i. Unsubsidized Stafford Student Loans;

   ii. Subsidized Stafford Student Loans;

   iii. Plus Loan Program;

   iv. Pell Grant Program;

   v. SEOG Grant Program; and

   vi. Robert C. Byrd Honor Scholarship

4. Fees, Fines and Charges

B.4.01 - Special Fees

The Board shall have the right to set and collect special fees, as authorized by law.

B.4.02 - Incidental Fees

The Board may fix the rate of incidental fees to be paid by students and prospective students and may make rules for the collection of fees and for the distribution of funds collected. The rate of an incidental fee shall reasonably reflect the actual cost to LSCS of the materials or services for which the fee is collected.

The Board shall publish in the LSCS catalog a description of the amount of each incidental fee to be charged.

Incidental fees include, without limitation, such fees as late registration fees, library fines, microfilming fees, bad check charges, application processing fees, infrastructure fees and laboratory breakage charge.
B.4.03 - Laboratory Fees

LSCS shall set and collect a laboratory charge in an amount sufficient to cover the general cost of laboratory materials and supplies used by a student. The laboratory charge shall not exceed the lesser of $24 per semester credit hour of laboratory course credit for which the student is enrolled or the cost of actual materials and supplies to be used by the student.

B.4.04 - Continuing Education Course Fees

The Board shall charge a reasonable fee to each person registered in a Continuing Education (CE) course at LSCS. The Board shall set the fee in an amount sufficient to permit LSCS to recover the costs of providing the course.

This section applies only to a course for which LSCS does not collect tuition or receives formula funding, including an extension course, correspondence course, or other self-supporting course.

The students enrolled in CE courses for which LSCS collects tuition or receives formula funding will be charged a specified amount per course hour as set forth in the LSCS catalog.

B.4.05 - Student Activity Fees

The Board shall collect from registered students an activity fee of $2.00 per credit hour each semester to be used to support student activities that are separate and apart from the regularly scheduled academic functions of LSCS and directly involve or benefit students.

All money collected as student activity fees shall be reserved and accounted for in an account kept separate and apart from educational and general funds of LSCS and shall be used only for the support of student activities.

The Chancellor shall develop procedures and guidelines for the collecting, accounting, and expending of student activity fees.

B.4.06 - Student Activity Fee Advisory Committees

Prior to recommending the student fee budget to the Board, the Chancellor shall consider the report and recommendations of the College Student Fee Advisory Committee. Each College Student Fee Advisory Committee shall consist of nine members.
B.4.07 - Joint Enrollment Waiver

If a student registers at more than one of the colleges in the System under concurrent enrollment provisions of joint or cooperative programs between the colleges, the student shall pay all compulsory student services fees to the college designated as the home college under the joint or cooperative program, and payment of all compulsory student services fees at the other college shall be waived.

B.4.08 - Exemption under Texas Law

Students for whom Texas law provides specific exemptions from tuition and/or dues, fees and charges shall be granted those exemptions by LSCS.

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C. FINANCIAL AID

1. Financial Aid

C.1.01 – Purpose

The purpose of financial aid is to remove financial barriers that prevent access to educational opportunities. LSCS participates in programs that provide aid through grants, scholarships, work-study, and loans. Financial aid policies are intended to provide guidelines and procedures for the financial aid offices to ensure conformity in the collection of information, issuing awards, and administering programs on a System-wide basis, while efficiently utilizing the resources of LSCS.

This policy is intended to assure that LSCS remains in compliance with Federal and State Regulations.

C.1.02 – Application

Students applying for any type of financial aid, other than scholarships, must first complete a Free Application for Federal Student Aid (FAFSA) form. The information submitted in the application may be subject to verification.

Students applying for scholarships must submit a scholarship application by the published deadline. Eligibility criteria for scholarships are determined by the scholarship donors.
C.1.03 - Disbursement of Funds

Awards other than work-study will be credited to the student's account and used to pay tuition, fees, and books. Any unencumbered balances will be refunded to the student. LSCS work-study funds will be distributed through the payroll system.

C.1.04 - Repayment of Title IV Funds

Students receiving Title IV funds, who withdraw from their course(s) prior to the 60% point of completion, will be required to return the unearned portion of the Title IV funds (See B.3.05, above).

C.1.05 - Satisfactory Academic Progress

Students who fail to make satisfactory academic progress as defined by the signed Satisfactory Progress Policy will be placed on financial aid probation or suspension.

Students who are on financial aid probation will be notified in writing by the financial aid office that their aid will be suspended unless they make the required progress.

Students who are placed on financial aid suspension will be notified in writing that their financial aid has been terminated, and that they have a right to appeal the suspension. On appeal, the student will have the burden of proving that the situation was caused by extenuating circumstances.

A student who does not appeal a financial aid suspension or whose appeal has been denied may be required to complete a minimum of six semester hours approved by the LSCS Financial Aid Director and to meet satisfactory academic progress standards in order to be considered for reinstatement of financial aid.

C.1.06 - Financial Aid Suspension - Appeal Process

A student who has been placed on financial aid suspension and desires to appeal the suspension shall complete and submit the Satisfactory Academic Progress Appeal Form to the LSCS Financial Aid Director, or designee. Supporting documentation may be required.

The Financial Aid Director, or designee, shall review each appeal, and determine on a case-by-case basis if the student's circumstances warrant a waiver of suspension and may:

a. allow the student to receive aid and remain on probation;

b. allow the student to receive aid under specified conditions; or
c. deny the appeal (usually rendered when there are continual violations or when the maximum time frame has been reached).

The Financial Aid Director shall provide the student a written response to the appeal, state the decision, and inform the student of further appeal rights.

A student desiring to appeal the decision of the LSCS Financial Aid Director may do so by providing a written request to the LSCS Financial Aid Appeal Committee within 5 business days of receiving the Financial Aid Director’s written response. The committee is appointed by the LEO and composed of at least one LSCS staff member, faculty member, and administrator that do not work with financial aid matters. The Appeal Committee shall provide the student at least three (3) business days notice prior to the hearing and a written decision within five (5) business days of the hearing. The decision of the Appeal Committee shall be final.

C.1.07 - Fraud - Title IV Funds

Any person who knowingly and willfully embezzles, misapplies, steals, or who obtains funds by intentional misrepresentation, false statement or forgery, or who fails to refund any funds, assets or property provided or issued under Title IV shall be considered to have committed an act of fraud and is subject to penalties and/or fines as outlined in applicable federal guidelines.

If a student is suspected of committing fraud with respect to Title IV funds, an investigation will be conducted, and additional documentation may be requested and/or collected. Financial aid will be withheld from the student pending the outcome of the investigation.

Upon a finding of fraud with respect to Title IV funds, the student will be referred to the LSCS Chief Student Services Officer for disciplinary action, and the student's financial aid will be revoked. The LSCS's Vice President for Administrative Services and the LSCS Director of Financial Aid shall be notified and be provided copies of the investigative report, along with supporting documentation.

The LSCS Director of Financial Aid shall refer the matter to the U.S. Department of Education by forwarding to that agency a copy of the investigative report along with supporting documentation. LSCS administrators shall determine if the case should be referred to the U.S. Attorney General, and in that event, the LSCS's General Counsel shall be responsible for making such referral.
D. STUDENT WELFARE AND RIGHTS

1. Student Organizations

D.1.01 - Registered Student Organizations

LSCS will provide equal opportunities for all students to participate in courses, activities, and programs without regard to race, color, creed, national origin, gender, age, veteran's status, sexual orientation, or disability. Recognition of student groups shall not be denied based on the views expressed by the group. Recognition of student groups may be denied if they violate reasonable System or College rules, disrupt classes, interfere with the opportunity of other students to obtain an education, or if the Chief Student Affairs Officer and/or Chief Student Services Officer reasonably believes that the group poses a threat to the safety of others or a threat of damage or destruction to the System or College. Recognition may be withdrawn if the organization fails to comply with any System or College rules.

LSCS shall ensure that the membership policies and practices of student organizations do not permit discrimination.

D.1.02 – Eligibility

A group shall be eligible for registration as a student organization at an LSCS campus, if:

a. it does not deny membership to anyone on the basis of race, color, creed, national origin, gender, age, veteran's status, sexual orientation, or disability;

b. it has a sponsor/advisor who is a full-time employee of LSCS;

c. it is not under disciplinary penalty prohibiting registration; and

d. its membership is limited to currently enrolled students and LSCS faculty and staff. Alumni and LSCS faculty and staff can serve as advisers by invitation.

D.1.03 - Compliance with LSCS Policies

Registered student organizations must comply with LSCS policies and procedures. The student organization's activities and programs require sponsor approval. A registered student organization is not a legal representative of LSCS or an LSCS college, unless specifically so designated, in writing, by the Location Executive Officer or his/her designee.

A registered student organization is not permitted to use LSCS’s tax exemption
number for its purchases or to bind LSCS through its contracts, without written approval.

**D.1.04 - Violation of LSCS Policies**

A registered student organization may be charged with violations of the Student Code of Conduct. The organization, along with its officers, may be held collectively and/or individually responsible for violations which occur during events sponsored by the organization. The organization, along with its officers, may be held collectively and/or individually responsible for violations committed by a person representing the organization or associated with the organization.

Sanctions for student organization misconduct may include denial or revocation of recognition as a registered student organization and any other sanction listed in the Student Code of Conduct that applies to individuals.

Investigations of student code violations will be conducted in accordance with Board Policy section VI.F.3.01.

**D.1.05 - Violation Appeal**

A student organization held responsible for a group or individual violation may appeal the sanction in accordance with Board Policy section VI.F.6.01.

**D.1.06 - Sale of Taxable Items**

A taxable item sold by a registered student organization, and for which the sales price is $5,000 or less, is exempted from the taxes imposed by Subchapter C of the Tax Code.

A taxable item manufactured by or donated to a registered student organization is exempt from the taxes imposed by Subchapter C of the Tax Code regardless of sales price unless sold to the donor, if the organization:

a. sells the items at a sale that may last for one day only, and the primary purpose of which is to raise funds for the organization; and

b. holds not more than one sale, as described above, each month for which the exemption is claimed for an item sold.

A registered student organization qualifies for the aforementioned exemptions if the organization:

a. is affiliated with LSCS;
b. has as its primary purpose a purpose other than engaging in business or performing an activity designed to make a profit; and
c. files a certification with the State Comptroller.

A registered student organization shall file with the State Comptroller a certification issued by LSCS showing that the organization is affiliated with LSCS.

The storage, use, or consumption of a taxable item acquired tax-free under this section is exempted from the use tax imposed by Subchapter D of the Tax Code until the item is resold or subsequently transferred.

D.1.07 – Raffles

LSCS shall allow the sale of tickets to a raffle by a registered student organization at LSCS facilities, subject to reasonable time, place, and manner restrictions.

D.1.08 – Student Travel

This policy will apply to travel by students to reach an activity or event that is organized and sponsored by a LSCS College whenever the travel is:

a. funded by the College, and the travel is by vehicle owned or leased by the College; or
b. required by a registered student organization.

This policy will apply to scheduled events or activities, such as those that are:

a. a required part of a course (credit or non-credit) offered by LSCS;

b. a college-scheduled sports event or competition; and

c. educational travel abroad programs offered by a college.

This policy does not apply to purely social or optional events organized by a registered student organization or an optional course activity recommended by a faculty member.

“Organized and sponsored by a College” means that college personnel, including faculty, were involved in the planning, communication, and conduct of the activity or event, and such planning, communications and conduct of the activity or event is part of that employee’s official responsibilities.
Travel is considered to be funded by a College whenever a college-maintained budget item or fund is created and used to pay part or all of the expenses associated with the activity or event. Travel is considered to be funded by a College even if the trip is arranged by an outside tour company for a college-sponsored trip and individual travelers must pay their own travel-related expenses to the travel company.

Travel is considered to be required by a registered student organization when the travel is a part of the organization’s official activities, including attendance and participation at conventions, workshops, athletic events, and non-athletic competitions. Modes of transportation used for student travel shall include, but not limited to, commercial airlines, college-owned or leased cars or vans, and commercially owned and operated buses or vans. Travel arrangements for student groups shall be made in accordance with LSCS travel procedures.

A driver who is transporting students in college–owned or leased vehicles must:

a. be an employee of LSCS or be approved to transport students by an appropriate College Vice President;

b. possess a valid driver’s license appropriate for the vehicle to be driven (a driver of a commercial motor vehicle must have a commercial driver’s license); and

c. have a satisfactory driving record that was reviewed by the College within six months of the scheduled transportation of the students.

The driver shall ensure that the number of passengers does not exceed the designated capacity of the vehicle and that each passenger is secured by a safety belt. A driver shall not drive for more than four (4) consecutive hours without taking a fifteen-minute break or relief from driving. Prior to the departure on a trip covered by this policy, a trip plan and appropriate emergency information shall be submitted to and reviewed by the College Vice President approving the trip.

LSCS Policy Manual Section adopted by the Board of Trustees on August 7, 2008

2. Student Welfare

D.2.01 - Attendance

Student attendance in class is important for the educational experience, and students are expected to attend all classes in which they are enrolled. Each faculty member shall communicate the attendance policy to his or her classes.
D.2.02 - Religious Holy Days

LSCS shall include in its catalog and official bulletins a statement regarding its attendance policies and procedures for religious holy days.

A “religious holy day” means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20 of the Texas Tax Code.

A student needing to be absent from class to observe a religious holy day must submit a written notice to each instructor whose class falls on that day. Written notice must be provided to the instructor no later than the second class meeting. The student may deliver the written notice personally to the instructor by receipted delivery, or in the alternative, the student may forward the written notice to the instructor by receipted courier delivery or by United States certified mail, return receipt requested, sent in enough time so as to be delivered no later than the fifteenth day after the first day of the semester. Upon receipt of a timely written notice, the student’s attendance record will properly reflect an excused absence.

A student who is absent from classes for the observance of a religious holy day shall be allowed to complete an assignment or take an examination scheduled for that day within a reasonable time after the absence. A student who is excused under this section may not be penalized for the absence; however, the instructor may appropriately respond if the student fails to satisfactorily complete any missed assignment and/or examination.

If a student and an instructor disagree about the nature of the absence for the observance of a religious holy day as defined above, or if there are similar disagreement about whether the student has been given a reasonable time to complete any missed assignments or examinations, either the student or the instructor may request a ruling from the Chief Student Services Officer or his or her designee. The student and instructor shall abide by such ruling.

D.2.03 - Crime/Security Reports

LSCS shall collect information with respect to campus crime statistics and campus security policies and prepare, publish and distribute an annual security report, as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), codified as 20 U.S.C. §1092(f), through appropriate publications, electronic media, or mailings to all current students and employees and to any applicant for enrollment or employment upon request. This report shall include the following:
a. A statement of current policies concerning security of and access to campus facilities, and security considerations used in the maintenance of campus facilities.

b. A statement of current policies concerning campus law enforcement, including:
   i. the enforcement authority of security personnel, including their working relationship with state and local police agencies, and whether those security personnel have the authority to arrest individuals; and
   ii. the policies that encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.

c. A description of procedures, if any, that encourage professional counselors, when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

d. A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

e. A description of programs designed to inform students and employees about the prevention of crimes.

f. Campus and community crime statistics.

D.2. 04 - Student Support Services

The Chancellor shall ensure that the Colleges make available to all students effective programs of student support services, including academic advising services, counseling services, skills assessment and placement services, career services, financial aid services, student enrollment services, and support services for students with disabilities.

D.2. 05 - Student Health Notices and Immunizations

AIDS/HIV Policy: LSCS’s policy on HIV infection and AIDS shall be included in the student handbook and be available for viewing by all new and returning students on LSCS’s website.

LSCS’s student service offices shall keep on hand for distribution to students on request the Texas Department of State Health Services’ educational pamphlet on HIV
infection and shall include in the student handbook a statement that the pamphlet is available.

Bacterial Meningitis: Information on Bacterial Meningitis, including symptoms, modes of transmission, availability and efficacy of vaccination and treatment, shall be made available to all new and returning students on LSCS’s website.

Immunizations: Students in programs that require immunizations must submit proof of such immunizations.

The Vice Chancellor of Academic Affairs and Student Success is required to report, on the day of recognition, all suspected or known cases of vaccine-preventable diseases, which occurred among staff or students, to the local health authority, the city or the county health department/district, the city or county health officer, the public health regional office, or the Texas Department of Health in Austin, thus alerting health officials to possible outbreaks of these diseases.

D.2.06 - Drug and Alcohol Testing

Students and faculty in the health occupation and emergency services or child care programs may be required to undergo drug testing if there is reasonable cause to believe they may be impaired by chemical or alcohol or as required by affiliated clinical facilities.

D.2.07 - Criminal Background Checks

Prior to registering in an LSCS health professions and emerging services and child development program, a student shall be required to satisfactorily complete a criminal background check to be performed by an external consumer agency selected by LSCS. The student shall sign an authorization form and pay the cost of the background check directly to the agency. Results of the background check, which shall be maintained as confidential, shall be sent directly to the program director and also to the student.

D.2.08 - Legal Notice Regarding Steroids

The following notice regarding legal restrictions on steroids shall be posted in each gymnasium in LSCS:

"Anabolic steroids and growth hormones are for medical use only. State law prohibits the possession, dispensing, delivery or administering of an anabolic steroid or growth hormone in any manner not allowed by state law. State law provides that bodybuilding, muscle enhancement, or increasing muscle bulk or strength through the use of an anabolic steroid by a person who is in good health is not a valid medical
purpose. Only a medical doctor may prescribe an anabolic steroid or human growth hormone for a person. A violation of state law concerning anabolic steroids or human growth hormones is a criminal offense punishable by confinement in jail or imprisonment in the Texas Department of Corrections."

D.2.09 - Graduation Rates

LSCS shall produce and make readily available through appropriate publications, electronic media, or mailings to all current students, and to any prospective student upon request, the completion or graduation rates of certificate- or degree-seeking, full-time students entering LSCS. The information shall be updated not less than biennially.

LSCS Policy Manual Section adopted by the Board of Trustees on August 7, 2008

3. Student Rights

D.3.01 - Policy

Students retain their individual rights but assume specific responsibilities once admitted to LSCS.

D.3.02 - Student Affairs Administrators

Each LSCS College shall designate an administrator to be directly responsible for student services at the College and to serve as Chief Student Service Officer.

D.3.03 - Student Defined

A "student" shall mean anyone registered in or in attendance at one of LSCS’s Colleges. These policies and regulations shall also apply to any prospective or former student who has been accepted for admission or re-admission, while he or she is on the campus, or a student who intends to attend LSCS during any regular session after a period of scheduled vacation. The term student also includes individuals enrolled in non-credit classes, including but not limited to, continuing education, GED, or English as a second language (ESL).

D.3.04 - Campus Defined

The "campus" of LSCS is defined as all real property over which LSCS has possession and control.
D.3.05 - First Amendment Rights Retained

At all college sponsored events and at all System locations, students retain their First Amendment rights on campus, and at off-campus registered student organization events, in light of the unique character of the academic environment. Student expression that is protected by the First Amendment may not be prohibited unless, in the view of the administration, the expression will materially and substantially interfere with the operation of the college or the rights of others.

D.3.06 - First Amendment – Freedom of Expression and Religion

LSCS shall take no action respecting an establishment of religion, or prohibiting the free exercise thereof; abridging freedom of speech, or the press; the right to peaceably assemble; and to petition the Board for redress of grievances. Activities such as distributing literature, displaying signs, petitioning for change, and disseminating information concerning issues of public concern are protected by the First Amendment.

D.3.07 - Limitations on Expression

LSCS may subject student expression to prior screening under clear and reasonable regulations.

LSCS may refuse to disseminate or sponsor student speech that:

a. would substantially interfere with the work or mission of the System;

b. impinges on the rights of other students;

c. is considered obscene, vulgar, offensively lewd, or indecent under applicable law;

d. might reasonably be perceived as advocating drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of the System;

e. is inappropriate for the level of maturity of the readers;

f. is inconsistent with the standards of quality of the System, with respect to production and form of presentation of the System;

g. associates the school with any position other than neutrality on matters of political controversy or business partnership; or

h. violates the intellectual property rights of others.
LSCS may prohibit expression by students if:

a. it materially and substantially interferes with System activities;

b. it materially and substantially interferes with the rights of other students or teachers; or

c. LSCS can demonstrate reasonable cause to believe that the expression would engender such material and substantial interference.

LSCS shall not prohibit student expression solely because other students, teachers, administrators, or parents may disagree with its content.

LSCS may limit student expression in manner, place, or time by means of reasonable and uniformly applied regulations.

**D.3.08 - Interrogations**

LSCS respects the right of students’ privacy. However, LSCS officials have the authority to interrogate students on a matter to protect the overall welfare of other students, staff or other persons, or when necessary to preserve the good order and discipline of the System.

**D.3.09 - Searches Without Warrants**

If no search warrant is obtained, System officials nonetheless have limited authority to search a student’s person or property as follows:

a. any prohibited item within "plain view" is subject to seizure;

b. personal property may be searched, if probable cause exists, and only if exigent circumstances justify not obtaining a search warrant;

c. areas such as lockers and desks, which are owned and controlled by LSCS, may be searched by LSCS officials when they have reasonable cause to believe that stolen items or items prohibited by law or by Board policy are contained in the area to be searched; and

d. stolen items and items which are forbidden by Board policy or law may be impounded and used as evidence in internal school disciplinary proceedings against the student.
Different standards may apply in the event that law enforcement authorities are involved in a search. These matters should be referred to the General Counsel of LSCS.

D.3.10 - Limitations

Searches conducted on LSCS premises, with assistance from law enforcement authorities, are governed by Fourth Amendment standards.

D.3.11 - Prohibited Discrimination/Harassment Policy

LSCS provides equal treatment and educational opportunities to all persons without regard to race, color, creed, national origin, gender, age, veteran's status, sexual orientation, and disability. See Section IV.F.4.

_LSCS Policy Manual Section adopted by the Board of Trustees on December 2, 2010_

D.3.12 – Students with Disabilities

D.3.12a - System Disability Mission Statement

LSCS believes in equal access to educational opportunities for all individuals. Therefore, LSCS endeavors to create, promote, and maintain an environment where individuals with disabilities have access to educational opportunities with minimal adaptations. This is done by:

a. promoting accessibility and utilizing principles of Universal Design;

b. providing exemplary service;

c. establishing accountability by maintaining cost-efficient and effective services;

d. developing an institutional culture of acceptance and shared ownership; and

e. changing and adapting as indicated by developments in the field of disability and higher education and/or LSCS policy

D.3.12b - System Policy

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or the opportunity to participate in activities of LSCS or otherwise be subjected to discrimination by LSCS.
LSCS shall not exclude or otherwise deny the benefits of System services, programs, or activities to an individual because of a relationship or association with a qualified individual with a disability.

**D.3.12c - Definition**

A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modifications to policies, practices or procedures, the removal of architectural, communication or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by LSCS.

**D.3.12d - Reasonable Accommodations**

LSCS shall make reasonable modifications to policies and practices or procedures when the modifications are necessary to allow a qualified individual with a disability to participate as fully as possible in a program or class or enjoy the rights and privileges offered by the System, provided that the modification would not fundamentally alter the nature of the service, program, or activity, or otherwise place an undue burden on the System as provided by law.

**D.3.12e - Communications**

LSCS shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with those without disabilities.

**D.3.12f - Auxiliary Aids and Services**

LSCS shall furnish appropriate auxiliary aids and services where necessary to afford a qualified individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by LSCS. In determining what type of auxiliary aid or service is necessary, LSCS shall give primary consideration to the requests of the individual with disabilities.

**D.3.12g - Definition**

"Auxiliary aids and services" include:

a. qualified interpreters, note takers, transcription services, written materials, assistive listening devices and systems, telephone handset amplifiers, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDD’s), video
text displayers, or other effective methods for making orally delivered materials available to individuals with hearing impairments;

b. qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered material available to individuals with visual impairments;

c. acquisition or modification of equipment or devices; and

d. other similar services and actions.

D.3.12h - Notice

LSCS shall make available to applicants, participants, beneficiaries and other interested persons information regarding the provisions of Title II of the Americans with Disabilities Act (ADA), as amended, and its applicability to the services, programs or activities of LSCS. The information shall be made available in such manner as required by law to apprise such persons of the protections against discrimination assured them by the ADA.

D.3.12i - Disability Services Provider

LSCS shall designate at least one employee per college to coordinate its efforts to comply with and carry out its responsibilities under Title II of the ADA, as amended, and Section 504 of the Rehabilitation Act, including prescribing and coordinating accommodations and services.

LSCS shall make available to all interested individuals the name, office address and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable implementation of said accommodations/services, as indicated under the ADA, as amended, and Section 504 of the Rehabilitation Act.

D.3.12j - Eligibility and Documentation

A student requesting accommodations for a disability is required to provide documentation of the disability to the college’s designated office for disability services. The documentation is required for the following three purposes:

a. to establish the individual’s eligibility under the ADA, as amended, and Section 504 of the Rehabilitation Act;

b. to establish the need for accommodations in order to have equal access; and
c. to determine appropriate reasonable accommodations.

In order for a student with a disability to receive accommodations, that student is required to register for services through the college’s designated office for disability services. If possible, the student requesting services should make an initial contact with the College’s designated office the semester prior to enrollment—at least 4 weeks prior to the first class.

D.3.12k - Student Rights and Responsibilities

A student with a disability has a right to an equal opportunity to participate in and benefit from services, programs, or activities offered at LSCS. To ensure an efficient working relationship with the College’s designated office for disability services, students are urged to take an active role in applying for reasonable accommodations. To protect this right, a LSCS student with a disability:

a. has a responsibility to identify himself/herself as needing an accommodation preferably prior to enrollment;

b. has a responsibility to provide documentation of disability to the college’s designated office for disability services;

c. has a responsibility to actively participate in the search for accommodations and auxiliary aids;

d. has a responsibility to notify faculty of his/her accommodation needs;

e. has the same obligation as any student to meet and maintain the System’s academic and technical standards and code of conduct;

f. has a right to be evaluated based on his/her ability, not disability;

g. is entitled to an equal opportunity to learn;

h. is entitled to an equal opportunity to participate in and benefit from the academic community, including access to services, extracurricular activities, and transportation at a comparable level as that provided to any other student; and

i. has a right to appeal the System’s decisions concerning accommodations, first internally, by pursing the College’s complaint process available to student with equal opportunity complaints, and then externally, by filing a complaint with the regional Office of Civil Rights at the U.S. Department of Education or through the Civil Court system.
D.3.12l - Confidentiality

Records related to disability are considered to be highly confidential, as indicated in federal guidelines. The purpose of such confidentiality is to protect the student from discrimination on the basis of disability as well as to ensure the non-release of his/her medical records except as needed to provide educational services.

The College’s designated office for disability services is responsible for collecting and maintaining these records in a secure, separate file and is considered part of the student’s education record. Only office personnel have direct access to these files.

Disability-related information should be shared only when necessary, and then only limited information shall be shared. Information is to be shared on a need to know basis. In the interest of serving the needs of the student, the provision of services may involve the college’s designated office for disability services disclosing disability information provided by the student to appropriate System personnel participating in the accommodation process. Information may be disclosed to appropriate parties in a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

D.3.12m - Process for Reconsideration of Accommodations

Students with disabilities may request reconsideration of the reasonable accommodations that have been prescribed by the college’s designated office for disability services on an informal basis by scheduling an appointment with the office to review the prescribed accommodations. Typically, requests for consideration of revising accommodations should be made within the first two weeks of the accommodation being offered or denied. However, there are occasions where the need to revise the accommodations may not become apparent until later in the semester. If this should occur, the college’s designated office for disability services should review the student’s request, review the supporting disability documentation, and make revisions if appropriate. If additional information is required before a decision can be made regarding the appropriateness of the requested revision, the office may temporarily provide the requested accommodation for a specified period of time if deemed appropriate. The student may pursue a formal grievance process at any time under Board Policy Section IV.F.4.01.

There may be occasions where it is necessary for the College’s designated office for disability services to consult with the faculty member in order to determine which accommodations are reasonable for a specific class. Decisions about reasonable accommodations should be made on a case-by-case basis and should take into account the essential elements (as documented in Core Competencies, learning outcomes, etc.) of each class as well as the impact of the disability on the individual student.
Faculty members should consult with the College’s designated office for disability services, not the student, if there are questions about the designated accommodations.

D.3.13 Access to Information and Technology for Individuals with Disabilities

In compliance with Texas Government Code §2054.451 et. seq. LSCS shall, in developing, procuring, maintaining, or using electronic and information resources, ensure that individuals with disabilities have access to and the use of information and technology comparable to the access and use available to System employees without disabilities, unless it would impose a significant difficulty or expense to the System.

The home page of LSCS’s Web site and key public entry points shall include an “Accessibility” or “Site Policies” link to Web pages that contain LSCS’s accessibility policy, site validation (e.g., Section 508), contact information for LSCS’s designated accessibility coordinator, and a link to the Governor’s Committee on People with Disabilities Website:


http://www.section508.gov/

http://www.governor.state.tx.us/disabilities/

E. STUDENT RESPONSIBILITIES

1. Student Code of Conduct

E.1.01 - Policy

Each student shall have access to LSCS’s rules and regulations concerning student conduct. These rules and regulations are in effect when attending or participating in any class or activity sponsored by LSCS or one of its colleges, either on campus or at an off-campus location.

LSCS is dedicated to providing a quality comprehensive educational program designed to meet and balance the diverse and changing educational, social, economic, and cultural needs of the community while providing a safe and healthful environment. LSCS is committed not only to learning and to the advancement of knowledge but also to the education of ethically sensitive and responsible persons. LSCS seeks to achieve these goals through a sound educational program and through rules and regulations
governing student life that encourage responsibility and respect for the rights and viewpoints of others.

LSCS believes that students are adults who are responsible for their own actions, and who should be free to pursue their educational objectives in an environment that promotes learning, protects the integrity of the academic process, and protects the learning community.

E.1.02 - Policy Regarding Conduct

LSCS and each of its colleges shall provide a safe, responsive learning environment for all students and shall develop a student code of conduct to effectuate this goal.

E.1.03 - Applicability of Code of Conduct

The academic and non-academic misconduct described in this section applies to all students enrolled in a credit or non-credit course at LSCS, whether offered on or off campus or online.

E.1.04 - Academic Matters

Students assigned to health or other facilities, as part of clinical courses or serving in internships as part of a course, are expected to conduct themselves in a professional manner in the clinical/internship setting and to adhere to the standards of practice appropriate to the particular professional field. Professional conduct is a component of the academic performance evaluation of a student.

Action taken against a student for failure to meet academic performance standards will be considered an academic matter and not a disciplinary matter in violation of the Student Code of Conduct. Accordingly, any such actions may be appealed under applicable provisions of the academic regulations, not under the Student Code of Conduct.

E.1.05 - Off-Campus Activities

When off-campus and not participating in matters related to LSCS or one of its colleges’ activities or business, students shall not be considered under the control of LSCS, and LSCS shall not be held responsible for the off-campus activities or personal conduct of its students. Students who violate a local ordinance or any law risk the penalties prescribed by civil or criminal law. Nonetheless, LSCS may take disciplinary action against those students whose behavior off-campus, or in matters unrelated to LSCS or one of its Colleges’ activities or business, indicates that they pose a serious and substantial danger to themselves or others.
E.1.06 - “Sponsored Activities” Defined

“Sponsored activities” are events and activities initiated by a student, student organization, college department, faculty member, or other employee which meet one of the following:

a. are expressly authorized, aided, conducted, or supervised by the System;

b. are funded in whole or in part by the System;

c. are initiated by an officially registered student organization and conducted or promoted in the name of that student organization and/or the System; or

d. take place on System premises.

This definition also extends to System business that does not necessarily occur on System premises or at System sponsored activities.

E.1.07 - Non-Academic Misconduct

Non-academic misconduct can occur in many different ways. Examples of non-academic misconduct, include, but are not limited to the following:

a. Disrupting, obstructing, or interfering with System or System-sponsored activities or access to college facilities or college-sponsored activities, including, but not limited to, teaching, studying, research, administration, disciplinary procedures, cultural events, or fire, police, emergency, and other services. Student demonstrations and similar activities must follow LSCS’s Free Speech Policy and procedures.

b. Causing physical and/or psychological abuse, threats of violence, terrorist threats, stalking, or harassment of any member of the LSCS community or visitor on LSCS property, or conduct which threatens or endangers the health or safety of any such person. This includes verbal threats and threats made via electronic communication. Using, possessing or storing without authorization any weapon, dangerous chemical, or explosive element, including without limitation ammunition, whether or not the user or possessor holds a federal, state, or other license.

c. Violating a policy by use or possession of a weapon or instrument designed to look like a firearm, explosive, or weapon, which is used to assault or to cause reasonable apprehension of harm to another person.
d. Initiating, or causing to be initiated, any false report, warning, or threat of fire, explosion, or other emergency.

e. Violating fire regulations, including the misuse or damage of fire safety equipment; tampering, misusing, damaging, or playing with fire extinguishers, smoke detectors, exit lights, emergency lights, or other similar equipment; tampering with or pulling under false pretenses a fire alarm; or propping stairwell fire doors open.

f. Violating the terms of any disciplinary action imposed in accordance with this Code.

g. Interfering with freedom of expression of others.

h. Violating any LSCS policy, procedure, regulation or rule, including, but not limited to, those concerning sexual assault, moving violations, student organizations, use of LSCS facilities, smoking, alcohol, and the time, place, and manner of public expressions.

i. Possessing, using, selling, administering, or distributing alcoholic beverages or any illegal or controlled substances, designer drug, or drug paraphernalia without authorization.

j. Littering, damaging, defacing, or destroying LSCS property, or property under its jurisdiction, or removing, using, occupying, or entering such property improperly or without authorization.

k. Gambling or holding a raffle or lottery at LSCS without proper approval from LSCS and/or other authorities.

l. Violating any local, state, federal, or other applicable law.

m. Engaging in obscene, vulgar, offensively lewd, or indecent conduct, expression, or sexual conduct in or on LSCS property, including computer access of obscene material.

n. Furnishing false information or willfully misrepresenting any fact to LSCS or to members of the LSCS community who are acting in the exercise of their official duties.

o. Forging, altering, falsifying, or misusing LSCS documents, records, forms, or identification cards.
p. Willfully misrepresenting to anyone within or outside of the college community one's status with LSCS, or willfully misrepresenting that the LSCS supports, sponsors, or approves the services or activities of any person, group, or organization.

q. Stealing or attempting theft of LSCS property or services or personal property, or knowingly possessing such stolen property.

r. Infringing upon the right of other students to fair and equal access to any of LSCS’s library materials and other LSCS academic resources.

s. Using, without authorization, the LSCS’s facilities and/or equipment, including but not limited to, the phone system, mail system, computer system, transportation system, and/or equipment, or use of any of the above for any illegal act. LSCS facilities may be used for the designated educational purposes only. LSCS facilities may not be used for personal use, personal business use, or commercial use (except as otherwise authorized by LSCS Board Policy). LSCS facilities may be used for recreational activities only in designated areas.

t. Causing false information to be presented before any administrative proceeding of LSCS, or intentionally destroying evidence relevant to such a proceeding.

u. Failing to comply with the direction of LSCS officials, including campus security officers acting in the performance of their duties.

v. Hazing - (see subsection E.2.05).

w. Abandoning a child in any place on LSCS’s premises without providing reasonable and necessary care for the child, under circumstances under which no reasonable, similarly situated adult would leave a child at that age and ability. A student commits an offense if having custody, care, or control of a child younger than 15 years of age and intentionally abandoning the child on LSCS’s premises, exposes the child to an unreasonable risk of harm.

x. Using abusive, indecent, profane, or vulgar language in a public place, phone conversation, or via electronic communication directed at another student, LSCS employee, or visitor.

y. Attempting to commit acts prohibited in this Code of Conduct, or encouraging or assisting others to commit such acts are prohibited and may be punished to the same extent as if one had committed the prohibited act.
E.1.08 - Classroom Misconduct

LSCS seeks to provide an environment where discussion and expression of all views relevant to the subject matter of the class are recognized as essential to the teaching and learning process. However, students do not have the right to interfere with the freedom of the faculty to teach or the rights of other students to learn.

Faculty are to set the standards of conduct that are acceptable in the classroom at the beginning of the semester. If a student behaves disruptively in the classroom after the faculty member has explained the unacceptability of such conduct and the consequences that will result, the student may be asked to leave the room for the remainder of the class time. If the student refuses to leave the room when directed, the faculty member may request the assistance of LSCS’s Police Department. If such assistance is requested, the police officer will inform the student that he or she is not to return to class until he or she has met with the academic dean and received written permission to return to class.

When a student is asked to leave the class, the faculty member shall prepare and submit a written report of the incident to the Chief Academic Officer and the Chief Student Services Officer. The report shall include the date, time, place, and student conduct. The office of the Chief Student Services Officer shall maintain the written report of the incident.

E.1.09 - Academic Integrity

LSCS upholds the academic core values of learning: honesty, respect, fairness, and accountability. It promotes the importance of personal and academic honesty. It embraces the belief that all learners – students, faculty, staff, and administrators – will abide by the aforementioned academic core values providing their own work and giving appropriate credit to the work of others. Fabrication of sources, cheating, or unauthorized collaboration is prohibited on any work submitted within LSCS.

Academic dishonesty includes, but is not limited to, plagiarism and cheating.

Any occurrence of academic dishonesty is to be determined in accordance with Board Policy Section V.C “Academic Achievement”.

E.1.10 - Dress and Grooming

Students' dress or grooming may not materially and substantially interfere with normal school operations.
Students are expected to be dressed and groomed in an appropriate manner while on campus or while participating in activities sponsored by LSCS.

LSCS Policy Manual Section adopted by the Board of Trustees on August 7, 2008

2. Specific Violations of Student Code of Conduct

E.2.01 - Alcohol and Drug Use

Anyone registered in, or in attendance at, one of LSCS’s Colleges is prohibited from the possession, use, or distribution of unauthorized drugs and alcohol. Descriptions of the applicable legal sanctions under local, state, and federal law and of the health risks associated with the use of unauthorized drugs and the abuse of alcohol will be made available to students.

E.2.02 - Disruptions

Conduct by students either in or out of class which, for any reason—whether because of time, place, or manner of behavior—materially disrupts class work, involves substantial disorder, or invades the rights of others is prohibited. Students shall be subject to the provisions of the Board Policy prohibiting disruption of classes, and disruption of lawful assembly. (See Chapter II. Community and Governmental Relations, Board Policy).

E.2.03 - Demonstrations

Student demonstrations and similar activities shall be prohibited when there is evidence that may reasonably lead LSCS authorities to expect substantial disruption of, or material interference with, normal System operations, or approved college activities.

No person or group of people acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on LSCS property. Further, the LSCS administration is charged with the responsibility of keeping its property free of disruptive activities and may take whatever disciplinary action is deemed necessary in instances of disruption or threat of disruption.

Students who participate in any prohibited activities described above are subject to disciplinary action based on the severity of the violation and its overall effect on the welfare of other students.
E.2.04 - Weapons and Weapons Possession

A student shall not intentionally, knowingly, or recklessly possess or go onto LSCS premises with any prohibited weapon, as defined below, except pursuant to written regulations or written authorization of LSCS.

A student shall not interfere with normal activities, occupancy or use of any building or portion of LSCS campuses, or of any vehicles engaged in the transportation of students to and from college-sponsored activities by exhibiting, using, or threatening to exhibit or use a firearm.

Prohibited weapons are defined as follows:

a. A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).

b. An illegal knife (knife with blade over 5½ inches; hand instrument designed to cut or stab another by being thrown; switchblade knife; dagger; bowie knife; sword; or spear).

c. An explosive weapon (any explosive or incendiary device, bomb, grenade, rocket or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made or adapted for delivery or shooting an explosive weapon).

d. Knuckles (any instrument consisting of finger rings or guards made of a hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles).

e. Armor-piercing ammunition (handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers).

f. A chemical dispensing device (device other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being).
g. A zip gun (a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifle-bore barrel by using the energy generated by an explosion or burning substance).

h. A club (instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk).

E.2.05 - Hazing

LSCS prohibits hazing. "Hazing" means any intentional, or knowing or reckless act on or off LSCS property directed against a student, by one person alone or a person acting with others, that endangers the mental or physical health or the safety of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students.

“Student” means any person who:

a. is registered in or in attendance at LSCS;

b. has been accepted for admission at LSCS where the hazing incident occurs: or

c. intends to attend LSCS during any of its regular sessions after a period of scheduled vacation.

“Hazing” includes, but is not limited to:

a. any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on or in the body, or similar activity;

b. any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

c. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

d. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student, that discourages
the student from remaining registered in LSCS, or that may reasonably be expected to cause a student to leave the organization or LSCS rather than submit to acts described above; and

e. any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Texas Penal Code.

E.2.06 - Consequences of Hazing

Any student who commits any hazing activity violates LSCS policy and is subject to criminal prosecution. A student commits an offense if the student:

a. engages in hazing against a student;

b. solicits, encourages, directs, aids, or attempts to aid another in hazing against a student;

c. intentionally or knowingly permits hazing against a student to occur; or

d. has firsthand knowledge of the planning of a specific hazing incident involving a student or firsthand knowledge that a specific hazing incident involving a student has occurred and knowingly fails to report that incident to a System representative, sponsor, or official.

E.2.07 – Risk Management Program for Student Organization Members and Advisors

At least once during each academic year, LSCS shall provide a risk management program for members and advisors of registered student organizations at LSCS. For this policy, “Advisor” means a person who:

a. serves in an advisory capacity to a student organization to provide guidance to the organization and its members;

b. is older than 21 years of age; and

c. is not a student of the postsecondary educational institution at which the student organization is registered.

Each advisor is required to attend a risk management program. Each registered student organization at LSCS must have the representatives of the organization attend a program. The designated student organization representatives are the following four officer positions, or similar officer positions: the president, pledge class or new member chairperson, membership chairperson, and risk management
chairperson. Other members of a student organization are encouraged to attend the program.

The program shall address, at a minimum, the following topics:

1. possession and use of alcoholic beverages and illegal drugs, including penalties that may be imposed for possession or use;

2. hazing;

3. sexual abuse and harassment;

4. fire and other safety issues, including the possession and use of a firearm or other weapon or of an explosive device;

5. travel to a destination outside the area in which the institution is located;

6. behavior at parties and other events held by a student organization; and

7. adoption by a student organization of a risk management policy.

Each advisor or one of the student representatives designated above shall report on the program’s contents at a meeting of the full membership of the student organization.

Attendance shall be taken and maintained by the college’s Student Activities Manager or equivalent. Records of attendance shall be maintained by the System for at least three years after the date of the program to which the record applies.

LSCS may impose reasonable sanctions on a person who is required to attend the program and fails to attend.

LSCS Policy Manual Section adopted by the Board of Trustees on August 7, 2008

3. Sexual Harassment, Assault, and Violence

E.3.01 - Sexual Harassment Policy

See LSCS Board Policy §IV.F.4.01; et. seq.
E.3.02 - Distribution of Sexual Assault Information

LSCS’s Colleges shall make available to students information regarding:

a. who should be contacted if a sexual assault occurs, the importance of preserving evidence for criminal prosecution, and the person to whom the alleged offense should be reported;

b. a student's option to notify law enforcement authorities, and the manner in which the College will assist in these circumstances;

c. list of counseling, mental health, and other student services for victims of sexual assaults;

d. notice that the System will change a student's academic situation after an alleged sex assault, if possible; and

e. sanctions that may be imposed for sexual assaults.

E.3.03 - Convicted Sex Offender Policy

As permitted by the Texas Code of Criminal Procedure Section 62.153 each person required to register as a sex offender, and who intends to be employed, work with a contractor, or attend classes at LSCS, register with LSCS’s Police Department at least seven (7) days prior to reporting to any System location.

As part of this registration the individual must submit information pertinent to his or her offenses, which will be forwarded to LSCS’s Review Committee for a determination of eligibility for employment, vendor services, or enrollment. A person seeking to be enrolled as a student must first be approved before completing the registration process.

Failure to register and receive necessary approval under this section may result in immediate suspension, dismissal, or termination of employment.

4. Computer Safety and Rules

E.4.01 - Computer Usage

LSCS public access terminals are provided to support the instructional and educational functions of the System.
It shall be a violation of LSCS policy to attempt deliberately to prevent other users' access to the System's computer system, to degrade system performance, or to copy or destroy files. This includes, without limitation, the following:

a. intentionally disrupting access of other students, faculty, or staff to the System’s computer resources;

b. knowingly obtaining access to a computer account, identification number, or password assigned to another student, faculty member, staff member, or College office;

c. knowingly using an account, identification number, or password belonging to another student, faculty member, staff member, or College office for other than its intended purpose, or using an identification number or an inactive account, password, or identification number;

d. misusing System computer equipment by such activities as falsifying or altering records or documents, damaging programs belonging to another, sending harassing or threatening material, or duplicating copyrighted software unlawfully;

e. intentionally using System computer resources to store, download, upload, display, print, or e-mail computer images that constitute "obscene materials" as defined by Section 43.21 of the Texas Penal Code and that are not directly related to, or required for, a specific educational course or research project related to an educational program;

f. displaying or transmitting messages, images, or cartoons that are sexually explicit or that demean a person on the basis of race, ethnicity, gender national origin, disability, or religion; or

g. using System e-mail or other computer resources for commercial purposes or for personal financial gain.

Any student who violates this policy shall be subject to discipline by LSCS, up to and including suspension or expulsion from the System.

Members of the public who are not enrolled in academic, technical, college-level or continuing education courses will be permitted to use such facilities for research purposes only when the use does not deny a LSCS student or employee access. Any member of the public whose use is not in accord with this policy may be asked to cease use of the computer, leave the facility, and forfeit rights to future use of System computers.
Minors who are not enrolled in System academic, technical or college-level courses shall only be permitted to use a computer on which a filtering device has been installed. Parental or guardian permission is required for all minors who wish to enroll in academic, technical or college-level courses in a College at the System. Such permission acknowledges that college level course work might contain materials or subject matter considered to be adult in nature.

Exceptions to this policy may apply in the libraries at LSCS Colleges which have public library partnership agreements.

E.4.02 - Prohibited Use of Computers

The following conduct by computer users shall be treated as a violation of this policy and may subject the user to discipline, including loss of computing and e-mail privileges, up to and including termination for a System employee, and dismissal for a student:

a. anonymous or forged e-mail messages;

b. unauthorized attempts to access another person's e-mail or similar electronic communications;

c. use of another's name, e-mail, computer address, or workstation to send e-mail or similar electronic communications;

d. use of System e-mail or other network resources for commercial purposes or for personal financial gain;

e. access to a restricted computing resource without authorization or use for purposes beyond the authorization;

f. transmission of copyrighted materials without the written permission of the author or creator through System e-mail or other network resources in violation of U.S. copyright law;

g. use of computing resources, including e-mails, in a manner that disrupts the work or educational environment;

h. intentional use of System computing resources to store, download, upload, display, print or e-mail computer images that constitute "obscene materials" as defined by Section 43.21 of the Texas Penal Code and that are not directly related to, or required for, a specific educational course or research project directly related to an educational program.
i. the display or transmission of messages, images, cartoons, or other messages or images that are sexually explicit or that demean a person on the basis of age, race, ethnicity, gender, national origin, disability, or religion, which may constitute prohibited harassment under System policies;

j. upload or download of unauthorized materials to any System server; and

k. sharing of an account, password, or other authentication device that was provided to permit access to restricted computing resources.

**E.4.03 - E-Mail Privileges**

Access to LSCS’s e-mail and similar electronic communication systems is a privilege that is extended to current employees, students, and affiliates in good standing. The privilege of access ends with the termination of employment, the failure to re-enroll in a System educational program, or disciplinary sanctions.

**E.4.04 - E-Mail Confidentiality**

LSCS cannot guarantee the privacy or confidentiality of electronic documents, and any messages that are confidential, as a matter of law, should not be communicated over e-mail.

LSCS reserves the right to access e-mail to engage in routine computer maintenance and housekeeping, to carry out internal investigations, to prepare responses to requests for public records, or to disclose messages, data, or files to law enforcement authorities.

**E.4.05 - E-Mail Records**

Messages sent as e-mail should meet the same standards for distribution or display as tangible documents or instruments. As with all records maintained by the System, and to the extent required by law, files saved in the System's information system, including e-mail, may be subject to release with a public information act request.

**E.4.06 - Loss of Computing Privileges**

Use of LSCS’s equipment and networks shall comply with the policies and procedures of the System, and access may be denied to any student, employee, affiliates, or member of the public who fails to comply with the System's policies and procedures regarding appropriate computer use.
E.4.07 - Overloading of Computer Resources

Nothing in this policy shall prohibit LSCS or College System Operator from intercepting and stopping e-mail messages or other computer use which have the capacity to overload the computer resources. Discipline may be imposed for intentional overloading of the System’s computer resources.

LSCS Policy Manual Section adopted by the Board of Trustees on August 7, 2008

F. DISCIPLINARY ACTION AND PROCEDURES

1. Discipline Policy - General

F.1.01 - Policy on Discipline

LSCS shall exercise its authority and prerogative to maintain order and discipline and shall vigorously pursue enforcement against students who fail to abide by its standards of conduct. Disciplinary action taken in any LSCS college shall be System-wide in effect.

LSCS administration and faculty may discipline students who cause disorder and/or disrupt the System's educational environment. Any student violating the Student Code of Conduct shall be subject to discipline, up to and including expulsion, in accordance with Board policy and applicable law. In the event that such violation is also a violation of federal, state, or local law, LSCS may decide to proceed or delay its own disciplinary processes.

F.1.02 - Disciplinary Procedures

In all disciplinary matters, students shall be given a fair opportunity to defend themselves in a hearing before LSCS officials. Students are entitled to due process in disciplinary hearings, including having adequate notice of the hearing and definite charges in advance. Students may have a representative present to advise them in a disciplinary hearing. However, the representative shall not be permitted to present evidence, cross-examine witnesses, or formally address LSCS officials at the hearing.

The Chief Student Services Officer of the particular LSCS College or the Chief Administrator of the particular College Center shall be responsible for the administration of the disciplinary procedures in consultation with the LSCS General Counsel, unless noted specifically herein. References herein to the Chief Student Services Officer shall be applicable to the Associate Vice President of the particular
College Center. Final actions taken under this Section F shall also be communicated to the Lone Star College System Vice Chancellor of Academic Affairs and Student Services and LSCS General Counsel.

F.1.03 - System Autonomy

Students whose conduct constitutes a violation of both the Student Code of Conduct and federal, state, local, and/or other applicable law may be accountable to both the System and the civil or criminal authorities. Disciplinary action at the System will normally proceed during the course of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed, reduced, or are pending.

Any decision to delay disciplinary action proceedings shall be made by the Chief Student Services Officer if such is in the best interest of the College as determined in his/her sole discretion. Because LSCS’s policies and procedures are distinct and different from criminal statutes and procedures, an outcome in a civil or criminal proceeding is separate from the question of whether the Student Code of Conduct was violated.

F.1.04 - Reports of Alleged Violation in Writing

Written reports of alleged student violations of the Student Code of Conduct may be submitted by any individual to the Chief Student Services Officer of the College where the accused student is enrolled. Such reports shall contain a concise summary giving the date(s), time(s), place(s), and event(s) of the facts or conduct on which the allegation is based. The reporting individual shall supply supporting documentation for the charge, if available. Individuals who file a report must be prepared to participate in any resultant proceedings without delay. It is the responsibility of the Chief Student Services Officer to investigate and interpret the alleged violation and to identify the appropriate specific charge(s) that will be brought against the student(s) involved.

2. Emergency Disciplinary Procedures

F.2.01 - Emergency Discipline Policy

The Chief Student Services Officer may take immediate action to protect the College community and the public prior to any administrative hearing where it appears that there is a potential immediate threat to the health or safety of members of the College community and the public or threat of disruption of normal College operations.

Before emergency disciplinary action is taken, the Chief Student Services Officer or his or her designee shall make an initial evaluation of the reliability of the information received and make such further investigation as circumstances permit.
F.2.02 - Effect of Appeal on Emergency Disciplinary Action

Emergency disciplinary action shall have System-wide effect immediately and shall remain in effect until it has been lifted or overturned upon successful appeal, which is evidenced with a written decision by the College President overturning the emergency action.

If the appeal is unsuccessful, the emergency disciplinary action shall remain in effect until it expires by its own terms, has been replaced by disciplinary sanction(s) under the regular disciplinary procedures, or is lifted by successful appeal under the regular disciplinary procedures.

Successful appeal of emergency disciplinary action does not alter the effect of regular disciplinary action taken against the student. Even though the emergency disciplinary action may have been lifted or overturned by successful appeal, the student may still be subject to the regular disciplinary procedures under the subsection on “Disciplinary Sanctions.”

F.2.03 - Forms of Emergency Disciplinary Action

Emergency disciplinary actions may include, but are not limited to, those listed below:

a. barring one or more students from LSCS or any part of the System;

b. removing one or more students from a particular class or classes;

c. prohibiting one or more students from participating in any System/College-sponsored activities, whether on or off campus; and

d. temporarily suspending one or more students, pending further investigation.

Emergency disciplinary action taken on one college campus shall be System-wide in effect, and pertinent information, including name, date, nature of violation, and form of sanction shall be communicated immediately, by electronic means, to all Deans of Student Services, security directors, LEOs, and Chancellor.

F.2.04 - Temporary Suspension

Temporary Suspension shall entail suspension from participating in classes in which the student is enrolled, from participating in any System/College-sponsored activities, and from entry onto any LSCS College premises.
F.2.05 - Right to Notice

A student subject to emergency disciplinary action shall be given written notice of such action by the Chief Student Services Officer or his or her designee. The written notice shall contain:

a. a concise summary giving date(s), time(s), place(s), and event(s) of the facts or conduct on which the allegation is based;

b. the particular section of the Student Code of Conduct allegedly violated;

c. a statement to the effect that the emergency disciplinary action is System-wide;

d. information concerning the student's right to appeal to the College President.

F.2.06 - Emergency Disciplinary Action – Appeal Procedures

Within two (2) business days from the date the student is given written notice of the emergency disciplinary action, a student may appeal the Chief Student Services Officer's decision to the College President. The appeal will consist of a written position paper and review of the documents underlying the disciplinary action from both the employee and the System. The appeal shall be limited to:

a. whether the conduct and circumstances reasonably indicate that the student's presence on campus or in a particular class or activity poses a threat to the health or safely of members of the college or System community or the public, or poses a threat of disruption of normal System operations;

b. whether the information concerning the student's conduct is reliable; and

c. whether the scope of the emergency disciplinary action is reasonable.

The decision of the President shall be made within two (2) business days, in writing, addressed to the student and shall be final. The emergency disciplinary action shall be effective immediately and remain in effect during the appeal process until completion of all disciplinary proceedings unless the President decides otherwise.

Emergency disciplinary action taken by any LSCS College shall be System-wide in effect.
F.2.07 - Expedited Disciplinary Procedures

If emergency action is taken, the Chief Student Services Officer will take steps to expedite the regular disciplinary procedures unless the student requests a delay and continuation of the emergency disciplinary action until a later date. The granting of any such delay and continuance shall be based on the best interest of the System as determined by the Chief Student Services Officer in his/her sole discretion.

Except for the emergency disciplinary action noted above, no disciplinary sanction will be imposed against a student prior to completion of the appeals process.

3. Investigation of Student Code Violations

F.3.01 - Informal Resolution Procedures

A faculty member, staff member, or administrator reporting an allegation of student misconduct shall first schedule a conference with the student for an opportunity to informally resolve the matter. If such a conference is not possible or unsuccessful, then the reporting personnel shall forward written notification of the allegation to the Chief Student Services Officer of the particular college.

Upon notification in writing by a faculty member, administrator, or staff member of an alleged violation of the Student Code of Conduct, the Chief Student Services Officer will initiate an investigation of the incident to determine possible courses of action.

F.3.02 Student Discipline for Health Occupations Programs

Notwithstanding anything within this Policy to the contrary, in cases of student discipline occurring within a Health Occupations program, upon conclusion of the faculty member’s unsuccessful informal conference with the student, the faculty member shall forward written notification of the allegation to the Program Director, or designee. The Program Director or designee shall schedule a conference with the student for an opportunity to discuss the failed resolution and provide an additional opportunity to informally resolve the matter with the student. If such a conference is not possible or unsuccessful, then the Program Director shall forward written notification of the allegation to the Division Dean of the applicable Health Occupations Program. The Division Dean, in consultation with the Chief Student Services Officer shall assume the Chief Student Services Officer’s duties set forth in F.3.03.

Applicable reference to the Chief Student Services Officer henceforth shall mean the Division Dean in cases of student discipline occurring within a Health Occupations Program. Further discipline shall proceed as set forth within this policy.
F.3.03 - Investigation

The Chief Student Services Officer will conduct the investigation, including but not limited to: interviewing the complainant, the student accused of violating the Student Code of Conduct, and any other knowledgeable individuals; reviewing the alleged violations, specifying the charges, conducting further investigation and obtaining any necessary information. During any interviews the Chief Student Services Officer will explain the Student Code of Conduct procedures, confidentiality requirements, prohibition against retaliation, and notify the accused of the charges against him or her.

The Chief Student Services Officer shall within ten (10) business days issue a decision in writing either:

a. finding the student responsible for violating the Student Code of Conduct. The Chief Student Services Officer in the decision may offer a Disciplinary Sanction(s), (see "Disciplinary Sanctions" below) which the student can either accept and waive the right to a hearing in writing, or decline and choose to dispute the allegation(s) at a hearing; or

b. dismissing the charge(s) brought against the student.

The student may appeal the sanction imposed under paragraph a in accordance with Section F.6.01.

F.3.04 - Student Disciplinary Committee

In disciplinary cases where the student chooses not to accept the Chief Student Services Officer discipline or findings, the student has the right upon written request filed with the Chief Student Services Officer within ten (10) working days after receiving the written decision, to a formal hearing before a Student Disciplinary Committee.

a. A Student Discipline Committee shall be appointed at each college for the academic year by the LEO and shall consist of three (3) faculty and/or professional staff and two (2) currently enrolled students. At its first meeting and before conducting any hearings, the Committee shall select a chair from among the faculty or professional staff members on the Committee.

b. Members of the Committee shall be replaced or added by the LEO if conflict of interest is apparent, a member is unable to attend a hearing, or specific expertise is required in regard to the circumstances of the appeal. The Chancellor shall have authority to create any necessary procedures to further implement this Section.
c. When a student appeals a sanction and/or a disciplinary decision, the Chief Student Services Officer shall be responsible for convening and coordinating a hearing with the Student Discipline Appeal Committee.

d. Nothing in this policy shall preclude members of a committee from a hearing panel for one college from serving on a committee for another college if such service is deemed appropriate by the LEO.

F.3.04 - Student Disciplinary Committee Hearing

Upon receiving the students request for a hearing, the Chief Student Services Officer shall notify the Student Disciplinary Committee. The Chief Student Services Officer shall provide a minimum of three days notice to the student of the date, time, and location of the hearing. The Chief Student Services Officer may postpone the hearing for good cause. The notice shall notify the student of the following hearing procedures:

a. the hearing will be a private hearing;

b. the student may have a representative present to advise him/her in the hearing. However, the representative shall not be permitted to present evidence, cross-examine witnesses, or formally address the Committee;

c. the student may present evidence, witnesses, cross-examine witnesses and argue on his/her own behalf;

d. prior to the hearing the student will receive a copy of the complaint any documents that will be used against him/her in the hearing, and a list of witnesses who will testify against him/her;

The Chair shall preside over the hearing, verify the Chief Student Services Officer has followed the requirements listed in Section F.302 and will rule on the admissibility of evidence (legal rules of evidence will not apply) and objections to the procedure. Within ten (10) business days from the date of the hearing, the Committee will issue a written majority decision either dismissing or upholding the complaint. If the complaint is upheld the decision will list the following information:

a. the date(s), time(s), place(s), and event(s) of the facts or conduct on which the violation is based;

b. a citation to, and quotation from, the section of the Student Code of Conduct which was violated;
c. if disciplinary action is imposed, the student shall be informed of the duration of such action and/or the date by which restitution or other appropriate conditions must be met;

d. a statement that the disciplinary action imposed shall be System-wide in effect; and

e. an explanation of the appeal rights and the procedures to request an appeal hearing.

A copy of the letter shall be provided to the student and the Chief Student Services Officer. If the charge is dismissed, the student shall be notified that the System may appeal that decision to the LEO.

Within five (5) business days of receipt of the decision, the student or System may appeal the decision or the discipline sanction to the LEO.

The decision of the Student Discipline Committee shall be implemented by the Chief Student Services Officer; however, decisions which involve dismissal shall be approved by the LEO prior to implementation.

**F.3.05 - Other Dispositions**

Nothing contained in this policy shall limit the right of a LSCS college at any time to agree to a disciplinary sanction(s) if the student agrees not to contest the charges. Any such agreement shall be reduced to writing.

Nothing contained in this policy shall preclude a LSCS college from pursuing any and all remedies available at law or equity, and such rights and remedies are specifically reserved.

**F.3.06 - Charged Student Barred from Registration**

Any student against whom a disciplinary action has been filed and not resolved may not register without the approval of the Chief Student Services Officer.

**F.3.07 - Effective Notice**

Whenever this policy provides that the student shall be notified in writing, a copy shall be served in person or by certified mail, return receipt requested to the student(s) address that is on file at the Office of Admissions, Records, and Registration.

For purposes of computing any time frames under this policy, where service is by mail, the date of service shall be considered to be the third day after the day of mailing. It is
the responsibility of the student to ensure that the Office of Admissions, Records, and Registration has the student’s current address on file.

**F.3.08 - Joint Hearing**

Nothing in these procedures shall preclude a LSCS College from holding one hearing or a joint hearing when two or more students are alleged to have participated in the same act or transaction or the same series of acts or transactions constituting an offense or offenses under the Student Code of Conduct.

To challenge a decision to consolidate a complaint(s), the student(s) charged must notify the chair of the Student Discipline Appeal Committee of the ground(s) for the challenge in writing at least four (4) days before the hearing is scheduled to take place.

**4. Disciplinary Sanctions**

**F.4.01 - Disciplinary Sanction Defined**

For purposes of the Student Code of Conduct, "disciplinary sanction" is defined as any action affecting the status of an individual as a student, which is taken by LSCS in response to student misconduct. The Chief Student Services Officer or Student Discipline Committee may impose one or more of the following sanctions for violation of the Student Code of Conduct: an admonition; written warning; probation; suspension; expulsion; failing grade for an examination, assignment or course, or other academic penalty; or other penalty as deemed appropriate under the circumstances.

**F.4.02 - Disciplinary Sanctions System-Wide**

Unless otherwise specified in writing, a disciplinary action, emergency disciplinary action, or other sanction involving suspension or dismissal shall be System wide in effect. A student who is barred from, suspended, or dismissed from one College, may not enroll at another College unless the effect of disciplinary action or emergency disciplinary action has expired by its own terms, has been lifted by the President or unless the student has received special written permission from the Vice Chancellor of Academic Affairs and Student Services.

Any disciplinary action, emergency disciplinary action, or sanction, that involves barring or limiting a student's access to the college shall be considered to apply to all LSCS facilities and programs whether on or off campus.
5. Miscellaneous Disciplinary Provisions:

F.5.01 - Disciplinary Procedure – Library Materials/Academic Resources

Where the director of library or learning resource center has reason to believe that a student has engaged in an offense involving the College's library material(s) or academic resources, the director of the library or learning resource center may impose the following two sanctions: (1) require restitution of any damaged or stolen material(s); and/or (2) designate a number of hours of community service which must be performed by the student in the library. In addition to the above sanctions, each director of the library or his/her designee has the prerogative of referring the matter to the Chief Student Services Officer for further disciplinary action.

F.5.02 - Disciplinary Procedure – Academic Misconduct

If a faculty member, test proctor, or other academic administrator believes that a student has engaged in academic dishonesty or misconduct, sanctions may be imposed. See Section “Academic Achievement”, Chapter V - Instruction, LSCS Board Policy.

6. Student Appeals

F.6.01 - Right of Appeal

The student or the System may appeal the decision or sanction(s) imposed by the Student Discipline Committee. The student may also appeal the sanction(s) offered by the Chief Student Services Officer in the Disciplinary Conference if the Student Discipline Committee hearing is waived. The appeal shall be submitted in writing to the Chief Student Services Officer within five (5) business days of the date the student is informed of the decision and shall state the basis for challenging the decision or sanction. The college president shall review the appeal submission and the written record of the decision and, within fifteen (15) calendar days, shall determine whether to uphold, modify, or deny the decision or discipline. The College president shall notify the student and Chief Student Services Officer of the decision. The decision of the College president shall be implemented by the Chief Student Services Officer. The College president’s decision shall be final.

LSCS Policy Manual Section adopted by the Board of Trustees on September 3, 2009
Policy Consideration No. 2  (ACTION ITEM 2)  Board Meeting 12-1-11

Request: Consideration of Approval of the Recommended Revision of the Lone Star College System Board Policy Section I D.2.03 (SECOND READING)

Chancellor’s Recommendation: That the Board of Trustees approve the recommended revisions of the Lone Star College System Board Policy Section I D.2.03.

Rationale: The recommended policy considerations will expand in greater specificity the duties and role of the Board Audit Committee in the hiring of external auditors and in clarifying other key functions of the Audit Committee.

Fiscal Impact: None

Staff Resource: Richard Carpenter  832-813-6515
Brian Nelson  832-813-6655
D. BOARD INTERNAL ORGANIZATION

2. Board Committees

D.2.03 - Audit Committee:

The Board chair shall appoint three members to the Audit committee for a two (2) year period and coincide with the biennial reorganization of the Board.

Duties of the Audit Committee are as follows:

I. Hiring of External Auditor

   A. The Board of Trustees Audit Committee (BAC) should obtain proposals from prospective external auditors at least every five years and confirm market pricing at least every two years.

      1. When evaluating submitted proposals from qualified external auditing individuals or firms (auditors), the BAC should consider:

          a. The reputation of the auditors and the individuals assigned to the audit;

          b. Recent or current clients of the auditor;

          c. The auditor's familiarity with governmental entities similar to LSCS;

          d. Estimated cost of the audit over the term of the contract;

          e. The location of the primary offices of the auditor; and

          f. Any other relevant information.

      2. The BAC should interview (preferably face-to-face) the top three prospective auditors after evaluations of all proposals have been completed.

      3. The BAC shall recommend to the Board of Trustees which auditor should be approved
for the audit engagement.

4. The BAC should review and execute an engagement letter each year; the engagement letter sets out the scope of the audit, including the proposed maximum fee. Any increase in the fee must be pre-approved by the BAC.

II. Other Functions of the BAC

A. In the event of discovered malfeasance via internal or external audits, the Chancellor shall apprise the BAC in a timely manner regarding the findings of such discovery along with any corrective action taken or anticipated.

B. The BAC will work and cooperate as needed with the LSCS's Chief Financial Officer and his/her staff with regards to the annual external audit engagement;

C. The BAC shall meet at least one week prior to the regular board meeting when action on the annual audit report is scheduled. The auditors, the Director of Internal Audits, the Vice Chancellor for Administration and Finance/CFO, and his/her staff as appropriate shall attend the BAC meeting to respond to any questions the BAC may have concerning the auditor's report;

D. The BAC shall submit a recommendation to the full Board of Trustees as to the action to be taken on the annual audit report. The recommendation and Board action must be completed prior to December 31 of each year;

E. Upon approving the annual Internal Audit Plan, the Chancellor will provide the Board Audit Committee a confidential copy, and review any other areas of interest that may be included in the plan;

F. At least annually, the BAC will review a summary status report prepared by the Director of Internal Audit and approved by the Chancellor.
Policy Report No. 3               (FIRST READING)          Board Meeting 12-1-11

Request: Consideration of the Recommended Revision of the Lone Star College System Board Policy Section IV F.4 (FIRST READING)

Chancellor’s Recommendation: That the Board of Trustees consider the recommended revisions of the Lone Star College System Board Policy Section IV F.4. This constitutes a first consideration with a request for approval during the February Board Meeting.

Rationale: The recommended policy considerations will clarify the issues of unlawful discrimination, sexual harassment and sexual violence and the means of the investigation under recent Department of Education guidelines.

Fiscal Impact: None

Staff Resource: Richard Carpenter  832-813-6515
               Brian Nelson  832-813-6655
4. Unlawful Discrimination and Prohibited Harassment Policy

F.4.01 – Policy

It is the policy of the Lone Star College System (“System”) to maintain a work and academic environment that is in compliance with Board Policy F.4.14 referenced below and is free of sexual discrimination, which shall include sexual harassment, sexual violence and discriminatory actions based on race, color, gender, age, sexual orientation, religion, ethnic or national origin, disability, veterans’ status, or any other protected status. Unlawful employment discrimination and sexual discrimination by officers, managers, faculty, supervisors, employees, students, advisors, vendors, clientele, and contractors will not be tolerated.

Any retaliation against an individual who has complained about sexual discrimination, sexual harassment, sexual violence or other unlawful discrimination, or the retaliation against individuals for cooperating with an investigation of a complaint regarding any of the above is similarly unlawful and will not be tolerated.

Unlawful sexual harassment and sexual violence that occurs off LSCS property but is deemed to have an influence on the safety of any campus or individual on campus is a violation of this policy.

Persons who violate this policy will be subject to disciplinary action up to and including termination of employment, expulsion and/or termination of the contractual relationship.

F.4.02 - Definition of Unlawful Discrimination, Sexual Discrimination and Sexual Violence

Unlawful discrimination is strictly prohibited by the System and will not be tolerated. Treating an employee or student differently in the terms or conditions of his or her employment or education on the basis of the employee’s or student’s race, color, gender, age, sexual orientation, religion, ethnic or national origin, disability, veterans’ status, or any other protected status constitutes unlawful discrimination.

Sexual discrimination, including sexual harassment, is illegal under both federal and Texas state law and is strictly prohibited by the System. Unwelcome sexual advances, requests for sexual favors and other physical or verbal conduct of a sexual nature, including sexual violence, constitute sexual discrimination when:

1. Submission to such advances, requests or conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic advancement or participation in System programs or activities, or is used as a basis for employment or academic decisions affecting the individual; or

2. Rejection of such advances, requests or conduct affects a term or condition of an
individual’s employment or academic advancement or participation in System programs or activities, or is used as a basis for employment or academic decisions affecting the individual; or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work, academic performance, education, or participation in System programs or activities, or of creating an intimidating, hostile, work or academic environment.

Sexual Violence is illegal under both federal and Texas state law and is strictly prohibited by the System. Sexual Violence means any physical sexual act perpetrated against a person’s will or where a person is incapable of giving consent.

**F.4.03 - Conduct which May Constitute Unlawful Sexual Harassment**

Sexual harassment does not refer to words or actions of a welcome nature. It refers to behavior that is not welcome and occurs in a variety of situations that share a common element: the inappropriate introduction of sexual activities or comments into the work or academic environment. Harassing conduct need not be motivated by sexual desire in order to constitute unlawful sexual harassment.

Sexual harassment often involves relationships of unequal power. Such situations may contain elements of coercion, such as when compliance with requests for sexual favors becomes a condition for granting privileges or favorable treatment on the job or in the classroom. However, sexual harassment may also involve relationships among persons of equal authority or power, such as when repeated unwelcome advances or demeaning verbal comments by a co-worker towards another co-worker unreasonably interferes with a person’s ability to perform his or her work. Sexual harassment can also involve behavior directed to and/or by students of the System, as well as employees and non-employees of the System, in short all members of the community may become harassers or victims of harassment.

Depending upon the circumstances and how they impact the workplace or academic environment, examples of sexual harassment include but are not limited to such conduct as the following:

1. verbal abuse, insults, jokes, comments or innuendo of a sexual nature that include lewd, obscene or sexually suggestive displays or remarks;

2. physical contact, such as touching, hugging, kissing, patting, or pinching, that is uninvited and unwanted by the other person;

3. the requests or demands for sexual favors accompanied by implicit or explicit promised rewards or threats concerning an individual’s employment status or educational status;

4. repeated unwelcome social invitations, sexual flirtations, advances, propositions or
unwanted requests for sexual favors;

5. threatened, attempted, or completed physical sexual assault;

6. indecent exposure;

7. romantic involvement (even if consensual) between supervisors and subordinates that impacts the workplace and/or other individuals in areas such as assignments, advancements and benefits; or

8. romantic involvement (even if consensual) between supervisors and students they supervise that impacts the academic environment and/or other students in areas such as assignments, grades and academic benefits.

**F.4.04 Conduct which may Constitute Unlawful Sexual Violence**

Sexual Violence shall include but not be limited to rape, sexual assault, sexual bribery, and sexual coercion.

**F.4.05 Conduct which may Constitute Unlawful Discrimination**

Depending upon the circumstances and how they impact the workplace or academic environment, examples of unlawful discrimination could include the above-referenced examples concerning sexual harassment, as well as the following types of conduct:

1. Making decisions about a person’s employment, compensation or education based upon his or her race, color, gender, age, sexual orientation, religion, ethnic or national origin, disability, veterans’ status, or any other protected status;

2. Verbal abuse, offensive innuendo or derogatory words, concerning a person’s race, color, gender, age, sexual orientation, religion, ethnic or national origin, disability, veterans’ status, or any other protected status;

3. An open display of objects or pictures designed to create a hostile working/learning environment based on a person’s race, color, gender, age, sexual orientation, religion, ethnic or national origin, disability, veterans’ status, or any other protected status.

**F.4.06 - Employee, Faculty and Student Responsibilities**

Each employee, faculty member, administrator and student of the System is personally responsible for ensuring that his or her conduct does not sexually harass or unlawfully discriminate against anyone in the workplace. Each employee, faculty member, administrator and student is responsible for cooperating in any investigation of alleged sexual harassment or unlawful discrimination if requested to do so by the person conducting the investigation.
Any person who observes an incident that may constitute sexual harassment or unlawful discrimination or who otherwise becomes aware of such an incident should immediately notify the System Equal Employment Officer (“EEO”). See Section F.04.11 below. The System EEO shall notify the System General Counsel and Chief Legal Officer, or his/her designee, of the incident and substance of the complaint.

Any person who observes or is victim to an incident that may constitute sexual harassment, sexual violence or other unlawful discrimination based on sex should immediately notify the System Title IX Coordinator.

**F.4.07 - Educational Setting**

In the educational setting within the System, there exists latitude for a faculty member’s professional judgment in determining the appropriate content and presentation of academic material. Academic curriculum and pedagogical goals that serve legitimate and reasonable educational purposes do not, in and of themselves, constitute sexual harassment or other unlawful discrimination. Those participating in the educational setting bear a responsibility to balance their professional academic responsibilities and academic freedoms with a consideration of the reasonable sensitivities of other participants.

Nothing contained in this policy shall be construed to limit the legitimate and reasonable academic responsibilities and academic freedoms of the System’s professional educators.

**F.4.08- Addressing Complaints of Sexual Harassment, Sexual Violence and Unlawful Discrimination**

When the System receives any formal complaint of sexual harassment or sexual violence it will promptly and equitably investigate the allegation. The System will make every effort to proceed in such a way as to maintain confidentiality to the extent practicable under the circumstances. If it is determined that inappropriate conduct has occurred the System will act promptly to eliminate the offending conduct, and where appropriate impose disciplinary action. A prompt and impartial investigation of the complaint is conducted by the System EEO or by his/her designee. The System EEO shall also be the Title IX Coordinator for purposes of complaints of sexual discrimination, sexual harassment and sexual violence. This investigation will consist of (but will not necessarily be limited to) interviews of the individual who made the complaint, of the person or persons against whom the complaint was made and of other individuals who may have witnessed the reported incident or incidents in order to determine by the preponderance of the evidence (more likely than not) whether sexual harassment or sexual violence occurred.

During and upon completion of the investigation, the System EEO shall consult with the System General Counsel and Chief Legal Officer or his or her designee; and upon completion of the investigation will meet individually with the individual who made the complaint and the individual or individuals against whom the complaint was made,
to report the results of the investigation and, where a remedy is determined to be appropriate, to inform the parties of the steps that will be taken to remedy the situation.

F.4.09 Disciplinary Action

In the event the investigation reveals that unlawful discrimination, sexual harassment or sexual violence has been committed by a student, further action will be taken, including, but not limited to, any and all disciplinary actions set forth in Board Policy VI.F.4.01 – Students Disciplinary Sanctions.

In the event that the investigation reveals that unlawful discrimination, sexual harassment or sexual violence has been committed by an employee, further action will be taken, including disciplinary action, such as, but not limited to, reprimand, change in work assignment, loss of privileges, mandatory training or suspension and/or immediate termination as set forth by Board Policy F.13 – Discharge of Employee. Should the employee challenge the disciplinary action, he or she may grieve the decision under Section F.10 – Review and Grievance Process.

F.4.10 - Confidentiality

All actions taken to investigate and resolve complaints through this procedure shall be conducted with as much privacy, discretion and confidentiality as possible without compromising the thoroughness and fairness of the investigation. All persons involved are to treat the situation with respect. To conduct a thorough investigation, the System EEO shall discuss the complaint with the System General Counsel and Chief Legal Officer, the witnesses and those persons involved in or affected by the complaint, and those persons necessary to assist in the investigation or to implement appropriate disciplinary actions.

F.4.11 - No Retaliation for Filing a Complaint of Sexual Harassment or Unlawful Discrimination

Retaliation against any individual for making a complaint of sexual harassment, sexual violence or of any unlawful discrimination or for assisting in the investigation of such a complaint is illegal and will not be tolerated. Any acts of retaliation will be subject to appropriate disciplinary action, such as but not limited to reprimand, change in work assignment, loss of privileges, mandatory training or suspension and/or immediate termination as set forth by Board Policy F.13- Discharge of Employee.

Incidents of unlawful retaliation should be referred to the System EEO for investigation.

F.4.12 - System Equal Employment Officer (“EEO”) and Complaints of Sexual Harassment and Unlawful Employment Discrimination

The System EEO shall also function as the Title IX Coordinator and is designated as the person who is charged with investigating complaints of sexual harassment, sexual
violence and unlawful discrimination for the System. The System General Counsel and Chief Legal Officer reserves the right to retain an outside investigator at the beginning or at any stage of the investigation to investigate complaints of sexual harassment, sexual violence and/or unlawful discrimination.

F.4.13 - State and Federal Agencies

In addition to the above, students and employees who believe that they may have been subjected to sexual harassment, sexual violence or unlawful discrimination may file a formal complaint with either or both of the government agencies set forth below.

Students who believe they may have been subjected to sexual discrimination including sexual harassment or sexual violence may wish to file a formal complaint with local law enforcement. Filing a criminal complaint will not preclude any student from participating in an informal or formal grievance process as required under Title IX.

Using the System’s complaint process does not prohibit an employee from filing a complaint with these agencies.


2. The Texas Workforce Commission ("TWFC"), 1117 Trinity St., Room 144T, Austin, TX 78778

F.4.14 - Compliance and Training

The System designates the General Counsel and the System EEO/Title IX Coordinator to coordinate efforts to comply with this policy, and conduct any investigation with the specific requirements contained in but not limited to:

a. Title IX of the Education Amendments of 1972, as amended, and its implementing regulations;

b. Section 504 of the Rehabilitation Act, as amended, and its implementing regulations;

c. The Americans with Disabilities Act, as amended, and its implementing regulations; and

d. Title VII of the Civil Rights Act, as amended, and its implementing regulations.

The System shall provide training consistent with Texas and/or Federal law to:

a. New and existing employees regarding the protections accorded to them under
federal and state discrimination laws and LSCS's related policies and complaint procedures; and

b. Supervisory personnel and all employees regarding the System’s non-discrimination obligations. This policy was established for handling discrimination and harassment complaints and the supervisor’s obligation to respond promptly and appropriately to alleged discriminatory or harassing conduct in the workplace under their supervisory authority.

Training programs shall be jointly administered and under the direction of the System Office for Human Resources and the System General Counsel and Chief Legal Officer.
Report: Monthly Financial Reports

The financial charts and statements for the month ended October 31, 2011 are presented for Board review.
% OF BUDGETED REVENUES EARNED

- **OCTOBER**
- **SEPTEMBER**

<table>
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<th>Year</th>
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<th>07-08</th>
<th>08-09</th>
<th>09-10</th>
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% OF BUDGETED EXPENDITURES USED

OCTOBER

SEPTEMBER
HOW MUCH DO WE NEED IN RESERVES?

*October: Revenues still cover expenditures*
TYPES OF STUDENT REVENUES - FALL SEMESTERS

- CORPORATE COLLEGE
- NON-CREDIT
- STATE DEDUCTIONS
- FEES-ALL STUDENTS
- DUAL CREDIT
- OUT OF STATE/INTERNATL
- OUT OF DISTRICT
- IN-DISTRICT
## LONE STAR COLLEGE SYSTEM

### Statement of Revenues and Expenditures

#### General and Auxiliary Funds

For the Two Months Ended October 31, 2011

Unaudited

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<th></th>
<th>Budget</th>
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<th>% Actual to Budget</th>
<th>Prior Year Actual</th>
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<td>2,700,000</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Current Operations Revenues</strong></td>
<td>266,750,000</td>
<td>56,817,566</td>
<td>21.30%</td>
<td>48,348,466</td>
<td>19.92%</td>
</tr>
<tr>
<td>Auxiliary Revenues</td>
<td>10,000,000</td>
<td>1,319,098</td>
<td>13.19%</td>
<td>1,196,832</td>
<td>14.96%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>276,750,000</td>
<td>58,136,664</td>
<td>21.01%</td>
<td>49,545,298</td>
<td>19.76%</td>
</tr>
</tbody>
</table>

| **EXPENDITURES:**      |        |                    |                    |                   |                    |
| Instruction-Academic   | 70,276,463 | 9,783,069         | 13.92%             | 11,053,917        | 17.22%             |
| Instruction-Workforce  | 26,792,014 | 4,044,637         | 15.10%             | 4,436,339         | 17.52%             |
| Public Service         | 1,077,887  | 99,946             | 9.27%              | 126,692           | 11.49%             |
| Academic Support       | 44,944,309 | 4,662,624         | 10.37%             | 5,265,644         | 11.69%             |
| Student Services       | 31,864,514 | 3,617,150         | 11.35%             | 3,629,555         | 12.12%             |
| Institutional Support  | 27,285,006 | 2,814,612         | 10.32%             | 4,274,153         | 15.51%             |
| Plant Operation and Maintenance | 28,361,926 | 4,624,224 | 16.30%             | 4,248,348         | 14.56%             |
| Staff Benefits         | 23,388,920 | 5,204,577         | 22.25%             | 2,880,883         | 20.56%             |
| Growth Contingency     | 2,128,961  | -                  | -                  |                   |                    |
| **Total Educational and General Expenditures** | 256,120,000 | 34,850,839 | 13.61% | 35,915,531 | 14.95% |
| Repair, Replacement and Other | 3,800,000 | 10,321 | 0.27% | 34,926 | 1.06% |
| Internally Designated  | 10,000,000 | 1,040,176 | 10.40% | 796,959 | 9.96% |
| **Total Expenditures** | 269,920,000 | 35,901,336 | 13.30% | 36,747,416 | 14.61% |
| Other Changes - Debt Service & Fund Transfers | 6,830,000 | 1,767,925 | 25.53% | 952,416 | 0.00% |

### NET INCREASE (DECREASE) IN FUND BALANCES

<table>
<thead>
<tr>
<th></th>
<th>Prior Year % Actual</th>
<th>Prior Year % Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>0</td>
<td>20,188,481</td>
</tr>
<tr>
<td>Auxiliary Funds</td>
<td>0</td>
<td>278,922</td>
</tr>
<tr>
<td><strong>TOTAL NET INCREASE (DECREASE) IN FUND BALANCES</strong></td>
<td>$0</td>
<td>$20,467,403</td>
</tr>
</tbody>
</table>
LONE STAR COLLEGE SYSTEM

Balance Sheet
October 31, 2011
Unaudited

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>General &amp; Reporting &amp; Totals</th>
<th>GASB 34/35 Reporting &amp; Investment In Plant</th>
<th>Memorandum Totals Current Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Auxiliary</td>
<td>Restricted</td>
<td></td>
</tr>
<tr>
<td>Cash</td>
<td>$45,228,413</td>
<td>(16,738,722)</td>
<td>$28,489,691</td>
</tr>
<tr>
<td>Accounts receivable, net</td>
<td>19,150,725</td>
<td>11,738,621</td>
<td>5,523,704</td>
</tr>
<tr>
<td>Investments</td>
<td>62,948,361</td>
<td>84,100,789</td>
<td>1,002</td>
</tr>
<tr>
<td>Prepaid and deferred expenses</td>
<td>3,167,620</td>
<td>-</td>
<td>3,167,620</td>
</tr>
<tr>
<td>Inventories, at cost</td>
<td>39,767</td>
<td>-</td>
<td>39,767</td>
</tr>
<tr>
<td>Amount to be provided for retirement long-term debt</td>
<td>-</td>
<td>655,694,240</td>
<td>655,694,240</td>
</tr>
<tr>
<td>Capital assets, net</td>
<td>-</td>
<td>735,132,496</td>
<td>735,132,496</td>
</tr>
<tr>
<td><strong>TOTAL ASSETS</strong></td>
<td>$130,534,886</td>
<td>$734,794,928</td>
<td>$740,657,202</td>
</tr>
</tbody>
</table>

LIABILITIES AND FUND BALANCES

| LIABILITIES: | | | |
| Accounts payable | $55,722,560 | $2,820,260 | $58,542,820 |
| Deferred revenues | 3,974,284 | 4,706,909 | 8,681,193 |
| Accrued compensable absences payable | 6,142,440 | 342,401 | 6,484,841 |
| Accrued interest payable | - | 1,021,574 | 1,021,574 |
| Bonds payable | - | 638,333,584 | 638,333,584 |
| Assets held in custody for others | - | 4,907,156 | 4,907,156 |
| **TOTAL LIABILITIES** | 65,839,284 | 652,131,884 | 717,971,168 |

FUND BALANCES:

| Unrestricted | 64,695,602 | - | 472,127,967 | 536,823,569 |
| Restricted | - | - | - | - |
| Non grant agreements | - | 950,846 | - | - |
| Loans | - | 485,631 | - | 485,631 |
| Restricted for construction | - | 57,375,725 | 266,922,679 | 324,298,404 |
| Debt service | - | 23,850,842 | 1,606,556 | 25,457,398 |
| **TOTAL FUND BALANCES** | 64,695,602 | 82,663,044 | 740,657,202 | 888,015,848 |

**TOTAL LIABILITIES AND FUND BALANCES**

| $130,534,886 | $734,794,928 | $740,657,202 | $1,605,987,016 |

NOTE:
Subject to change pending completion of the August 31, 2011 audit.
<table>
<thead>
<tr>
<th>Description</th>
<th>Ending BV 09/30/11</th>
<th>Total Buys</th>
<th>Total Sells</th>
<th>Interest/Dividends</th>
<th>Ending BV 10/31/11</th>
<th>Ending BV 10/31/10</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CASH</td>
<td>96,480</td>
<td>10,345</td>
<td>0</td>
<td>4,832</td>
<td>106,825</td>
<td>1,742,433</td>
</tr>
<tr>
<td>POOLS</td>
<td>58,600,594</td>
<td>1,958,894</td>
<td>37,719,589</td>
<td>12,000,000</td>
<td>22,839,899</td>
<td>35,248,692</td>
</tr>
<tr>
<td>AGENCIES</td>
<td>12,000,000</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>3,750</td>
<td>12,000,000</td>
<td>19,000,000</td>
</tr>
<tr>
<td>CERTIFICATE OF DEPOSIT</td>
<td>15,009,208</td>
<td>0</td>
<td>0</td>
<td>15,009,208</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COMMERCIAL PAPER</td>
<td>2,988,400</td>
<td>0</td>
<td>0</td>
<td>2,989,850</td>
<td>4,995,571</td>
<td></td>
</tr>
<tr>
<td>SOUTHSIDE MONEY MARKET</td>
<td>10,000,163</td>
<td>2,416</td>
<td>0</td>
<td>2,416</td>
<td>10,002,579</td>
<td>0</td>
</tr>
<tr>
<td>Total / Average</td>
<td>98,694,845</td>
<td>3,971,654</td>
<td>39,719,589</td>
<td>10,998.22</td>
<td>62,048,361</td>
<td>60,986,696</td>
</tr>
<tr>
<td><strong>DEBT SERVICE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CERTIFICATE OF DEPOSIT</td>
<td>5,018,613</td>
<td>3,815</td>
<td>0</td>
<td>0</td>
<td>5,022,428</td>
<td></td>
</tr>
<tr>
<td>POOLS</td>
<td>4,182,716</td>
<td>373,989</td>
<td>800</td>
<td>4,556,706</td>
<td>10,754,573</td>
<td></td>
</tr>
<tr>
<td>Total / Average</td>
<td>9,201,330</td>
<td>377,804</td>
<td>800</td>
<td>9,579,134</td>
<td>10,754,573</td>
<td></td>
</tr>
<tr>
<td><strong>CAPITAL PROJECTS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AGENCIES</td>
<td>5,000,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COMMERCIAL PAPER</td>
<td>4,990,208</td>
<td>0</td>
<td>0</td>
<td>4,992,167</td>
<td>19,991,276</td>
<td></td>
</tr>
<tr>
<td>POOLS</td>
<td>69,804,013</td>
<td>9,947</td>
<td>284,471</td>
<td>9,947</td>
<td>69,529,489</td>
<td>191,763,107.00</td>
</tr>
<tr>
<td>JPMC MM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total / Average</td>
<td>74,794,221</td>
<td>9,947</td>
<td>284,471</td>
<td>9,947</td>
<td>74,521,655</td>
<td>216,754,382</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>182,690,397</td>
<td>4,359,405</td>
<td>40,004,060</td>
<td>21,745</td>
<td>147,049,150</td>
<td>288,495,651</td>
</tr>
</tbody>
</table>
Request: Consideration of Approval and Acceptance of the Comprehensive Annual Financial Report (CAFR) and the Independent Auditors’ Reports

Chancellor’s Recommendation: That the Board of Trustees consider the recommendation of the Board Audit Committee regarding acceptance of the Comprehensive Annual Financial Report and the independent auditors’ reports.

Rationale: The CAFR for fiscal years ended August 31, 2011 and 2010 and the independent auditors’ reports thereon are presented for Board review and acceptance. The independent auditing firm of McConnell & Jones has issued an unqualified or “clean” opinion on the System’s financial statements and federal financial assistance programs. As required by the state, the CAFR will be filed with the Texas Higher Education Coordinating Board by January 1, 2012.

The reports are scheduled to be reviewed by the Board of Trustees Audit Committee prior to the December 1, 2011 Board meeting.

Fiscal Impact: None

Staff Resource: Cindy Gilliam 832-813-6512
Request: Consideration of Adoption of a Resolution Continuing the Current Taxation of Goods-in-Transit that are Otherwise Exempt from Taxation Under Section 11.253, Texas Tax Code

Chancellor’s Recommendation: That the Board of Trustees adopt a resolution continuing the current taxation of goods-in-transit as authorized by section 11.253 of the Texas Property Tax code with consideration of Senate Bill 1, newly defining “goods-in-transit”.

Rationale: The 82nd Texas Legislature has now enacted Senate Bill 1, amending section 11.253 which clarifies the definition of goods-in-transit. The amendment is effective October 1, 2011 and applies to tax years 2012 and subsequent. The new subsection (j-1) of section 11.253, also requires a taxing unit to take affirmative action by December 31, 2011, if it does not intend to allow the exemption. This action is required, even though LSCS took action in December 2007 under the previous definition of goods-in-transit.

Fiscal Impact: No fiscal impact; adoption of the resolution will continue taxation of goods-in-transit as in the past.

Staff Resource: Cindy Gilliam 832-813-6512
LONE STAR COLLEGE SYSTEM

RESOLUTION

APPROVING THE TAXATION OF GOODS-IN-TRANSIT THAT ARE OTHERWISE EXEMPT FROM TAXATION UNDER SECTION 11.253, TEXAS TAX CODE

WHEREAS, the 82nd Texas Legislature during its Special Session enacted Senate Bill 1 which amended Tex. Tax Code § 11.253, under which personal property consisting of goods-in-transit, as newly defined, are exempt from taxation; and

WHEREAS, a new subsection (j-1) was added to § 11.253 by Senate Bill 1, and which provides for a local option under which a taxing unit may tax such goods-in-transit otherwise exempt, if the governing body of such taxing unit after a public hearing takes official action to tax such personal property; and

WHEREAS, on the 1st day of December, 2011, the governing body of Lone Star College System held a public hearing at which members of the public were permitted to speak for or against the taxation of certain goods-in-transit personal property; and

WHEREAS, following the public hearing, the governing body of Lone Star College System has determined that such goods-in-transit personal property, as exempted by Tex. Tax Code § 11.253, should be subject to taxation by Lone Star College System for tax year 2012 and all subsequent years.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LONE STAR COLLEGE SYSTEM THAT:

(1) all of the above recitals are incorporated and made a part of this Resolution and,
(2) all such goods-in-transit personal property as defined by the amendments to Tex. Tax Code § 11.253 under Senate Bill 1, shall be, and are hereby declared to be, taxable by Lone Star College System for tax year 2012 and for every year thereafter, all as provided for and in accordance with Texas Tax Code § 11.253.

PASSED, APPROVED, AND ADOPTED this 1st day of December, 2011.

Lone Star College System

By _________________________________________

Randy Bates, JD
Chairman of the Lone Star College System Board of Trustees

ATTEST:

________________________________________

Priscilla Kelly
Secretary of the Lone Star College System Board of Trustees
Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute Contracts to Purchase Lawn Maintenance Services

Chancellor’s Recommendation: That the Board of Trustees authorize the Chancellor or designee to negotiate and execute contracts to purchase lawn maintenance services for the System in the total estimated contract amount of $2,600,000 over five years from the following vendors:

<table>
<thead>
<tr>
<th>Locations</th>
<th>Vendor</th>
<th>Est. 5-Year Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Professions Bldg, Victory Center, Tomball, System Office, Old Conroe Center, CyFair, North Harris, University Center, &amp; Fairbanks Center</td>
<td>Proficient Green Landscape Solutions, Inc., dba Progreen Landscape Solutions</td>
<td>$2,300,000</td>
</tr>
<tr>
<td>New Conroe Center, Greenspoint Center, Atascocita Center, &amp; Tomball Health Sciences Bldg</td>
<td>Seward Management LLC, dba Texas Lawn &amp; Landscape Services</td>
<td>$ 300,000</td>
</tr>
</tbody>
</table>

Rationale: Lawn maintenance services are required at all campuses and the proposal specifications included requirements for each campus. Vendors will provide routine care and maintenance services such as mowing, edging, trimming of ground cover, manual weed control, light pruning and spraying of trees, fertilization, and pre and post-emerge lawn herbicide. Additional services may also be requested, including seasonal flower planting, hardwood mulch, deep root fertilization for trees, ant control, tree cutting services, and irrigation services. Any additional services will be quoted individually based on hourly rates provided in the vendor proposals. Periodic performance reviews will be scheduled with the vendors throughout the term of the contract award.

This purchase is in compliance with the requirements of Texas Education Code §44.031. A Request for Proposal was issued to fifty-two (52) commercial lawn maintenance service providers and thirteen (13) responses were received. Vendor proposals were evaluated based on price, vendor capacity and references, company profile and experience, proposed staff for each location, certifications, quality control plan, emergency response time, HUB plan, and the completeness of proposal
submittals. The award recommendation is based on the highest overall scoring by location.

The term of the award is for a period of two years with the option to renew for three additional one-year terms based on mutual consent and satisfactory vendor performance. The System reserves the right to cancel the agreement with 30 days written notice for any reason including vendor non-performance and award the services to the next ranked vendor providing best value.

**Fiscal Impact:** Funds for this purchase are available from the approved FY 2011-12 budgets for each location. Funds for subsequent fiscal years will be included in future proposed budgets.

**Staff Resource:** Cindy Gilliam 832-813-6512
Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute Master Service Contracts for the Purchase of Maintenance, Repairs, and Inspection Services for System Facilities

Chancellor’s Recommendation: That the Board of Trustees authorize the Chancellor or designee to negotiate and execute master service agreements with the recommended vendors to obtain services for general contracting, mechanical/plumbing, electrical, roofing, fire protection, restoration/remediation, and finishes throughout the System for individual projects that cost less than $100,000. The scope of the award is for an estimated $2,000,000 per year, with a not-to-exceed amount of $10,000,000 over the five year term. See attached listing for recommended vendors.

Rationale: The term of this award is for an initial three (3) years with the option to renew for two (2) additional one-year terms. Contract renewal will be based on satisfactory vendor performance and vendors may be eliminated from the approved master list at the System’s discretion. The hourly rates, as awarded, will remain firm for the first year. Rate adjustments may be considered for each contract renewal option upon receipt of written justification supported by an increase in trade rates, inflation, or other measure as approved by the System. Vendor awards may be cancelled at any time with or without cause with a thirty (30) day written notice.

The purpose of awarding multiple trades is to expedite the turn-around time for small projects, repairs, maintenance, and inspection services for System facilities, while ensuring a safe, clean, and operable environment for students, faculty, and staff. Requested services over $10,000 will be obtained through the quote process, utilizing qualified vendors for each category of maintenance and trades as needed.

In compliance with Texas Education Code Section 44.031 (a), bid notices were sent to 191 prospective bidders. A training session on the iStar electronic bid process was provided with participation by 20 vendors.

Fifty nine (59) vendor proposals were received and evaluated; the evaluations were based on cost, company profile and experience, safety record, references, locations serviced, certifications, HUB plan, warranty, quality control plan, and completeness of proposals. All proposals with a score of 70 or greater are recommended for approval.

Fiscal Impact: Funds for these purchases are included in the FY 2011-12 budgets for the System. Funds for subsequent fiscal years will be included in future proposed budgets.

Staff Resource: Cindy Gilliam 832-813-6512
## Master Services - RFP# 154, 156, 157, 158, 159, 162

### Recommended Vendor List

#### General Contracting
- **GenTech Construction Co.** 2211 W. 34th St., Houston, TX 77018
- **Rosecrans Services Co.** 1213 West Loop North, Suite 150, Houston, TX 77055
- **Miner Dederick Construction** 1532 Peden, Houston, TX 77006
- **D & C Contracting** 10126 Talley Lane, Houston, TX 77041
- **Sparks Construction Services** P.O. Box 9737, The Woodlands, TX 77387

#### Electrical
- **Charlie Brown Services** 45445 S. Pinemont, Suite 204, Houston, Texas 77041
- **A & H Electric** 3305 North Loop 336 West, Conroe, TX 77304
- **Gonzales Commercial Electric** 52351 Milwee, Houston, TX 77092
- **Prism Electric** 1229 West 34th St., Houston 77018
- **Colwell Electric** 6829 Guhn Rd., Houston, TX 77040

#### Plumbing
- **Belknap Plumbing Systems** 99030 Solon Road, Houston, TX 77064

#### Mechanical
- **TD Industries** 13850 Diplomat Drive, Dallas, TX 75234
- **C-Air-S Mechanical** 8430 Fawndale, Houston, TX 77040
- **Lange Mechanical** 933 Wakefield, Houston, TX 77017
- **HB Mechanical, Inc.** 25428 Loop 494, Ste. C, Porter, TX 77365
- **Letsos Company, Inc.** 8435 Westglen, Houston, TX 770623

#### Automated Building Controls
- **Gemini Integration Services** 1090 FM2920, Ste G116, Houston, TX 77377

#### Roofing
- **Brinkman Investments, Inc.** 5060 Timber Creek Dr., Houston, TX 77017
- **Garland/DBS, Inc.** 3800 East 91st St., Cleveland, OH 44105

#### Fire Protection
- **Diversified Thermal** 6727 Signat, Houston, TX 77041
- **HG Fire Systems** 15102 Sommermeyer, Suite 100, Houston, TX 77041
- **Firetrol Protection** 400 Garden Oaks Blvd., Houston, TX 77018

#### Restoration/Remediation
- **Service Master** 801 Russell Palmer, Kingwood, TX 77339
- **Texas Liquatech** 1819 Milby, Houston, TX 77003
- **Belfor Property Restoration** 4400 Blalock Rd., Ste. 400, Houston, TX 77041
- **Blackmon Mooring** 10511 Kip Way, #400, Houston, TX 77099
- **Servpro of the Woodlands/Conroe** 2700 Greens Rd., #300, Houston, TX 77032

#### Finishes
- **Hawkins Drywall** P. O. Box 554, Pattison, TX 77466
- **Texas Star Design, LLC** 1950 Lexington Woods Dr., Spring, TX 77373

#### Flooring
- **ACS Flooring Group** 1289 N. Post Oak, Suite 190, Houston, TX 77055
- **Prime Flooring Systems** 1950 Lexington Woods Dr., Houston, TX 77373
- **Arch. Floors, Inc.** 1803 Allen Pkwy., Houston, TX 77019
- **Texan Floor Services** 2055 Silber Rd., Suite 103, Houston, TX 77055
- **Business Flooring Partners** 1234 N. Post Oak Rd., Suite 190, Houston, TX 77055

#### Painting & Wall Coverings
- **Ideal Finishes** 6213 Corporate Dr, Houston, TX 77038
- **Vaughn (Te-Ko)** P.O. Box 15202, Houston, TX 77020
Financial Report and Consideration No. 6 (ACTION ITEM 7) Board Meeting 12-1-11

Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute a Contract to Replace Four Elevators at LSC-North Harris

Chancellor’s Recommendation: That the Board of Trustees authorize the Chancellor or designee to negotiate and execute a contract to replace four elevators at LSC-North Harris from EMR Elevator, 705 Secretary, Arlington, Texas 76015, in the amount of $247,574.

Rationale: The existing elevators in the Health Professions Buildings #17200 and #17202 were installed as part of the original building construction in 1981, and 1984, respectively. These four (4) units have reached the end of their useful lifespan and have become unreliable. Within the last two months, there have been six repair calls where the units had completely ceased functioning, leaving the building with no elevator service. In this same time frame, there have been two entrapments where either the local Fire Department or LSCS-Security was required to rescue the elevator occupants.

The replacement of the four elevators will provide for a fully integrated elevator system that will be in compliance with the current fire, life safety, mechanical, and electrical building codes, and ensure that a state-issued certificate of compliance is issued to LSCS for these units. The replacement cost includes a one-year construction warranty period and one-year maintenance agreement from the installer.

In compliance with Texas Education Code §44.031 (a, 4) and Texas Local Government Code, §271.101-102, this purchase is being made utilizing the Choice Facility Partners purchasing cooperative awarded contract #08/041JC. A quote process was conducted from qualified vendors awarded through the cooperative; the lowest price quote is recommended for approval. The amount of this purchase includes a $7,200 owner’s allowance.

Fiscal Impact: Funds for this purchase are included in the approved FY 2011-12 budgets.

Staff Resource: Steve Head 281-618-5444
Request: Consideration of Approval to Purchase Computerized Assessment Tests for the System

Chancellor’s Recommendation: That the Board of Trustees approve the purchase of computerized assessment tests for the System over the next three years for an estimated annual cost of $300,000 and a not-to-exceed amount of $900,000 from the following vendors:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Address</th>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>American College Testing</td>
<td>500 AST Drive</td>
<td>Iowa City, IA 52243</td>
<td></td>
</tr>
<tr>
<td>The College Board</td>
<td>P.O. Box 869010</td>
<td>Plano, TX 75074</td>
<td></td>
</tr>
</tbody>
</table>

Rationale: Assessment instruments are utilized within the Assessment Centers throughout the college system to place students in appropriate classes in the areas of mathematics, reading, and writing.

The Texas Higher Education Coordinating Board (THECB) has approved the following assessment instruments: (1) ASSET and COMPASS offered by ACT; (2) ACCUPLACER offered by The College Board; and (3) THEA offered by National Evaluation Systems, Inc.

LSCS will accept all four approved assessments for student placement. However, LSCS only administers the ACCUPLACER and COMPASS, providing students with two web-based options. These assessment instruments are purchased by the college system. Fees are collected from students to offset the cost of the exam.

Fiscal Impact: Funds for this purchase are available from the approved FY 2011-12 operating budget. Funds for subsequent fiscal years will be included in future proposed budgets. Costs will be offset by testing fees of $29 per exam collected from students.

Staff Resource: Donetta Goodall 832-813-6597
Request: Consideration of Approval to Authorize the Chancellor or Designee to Negotiate and Execute a Contract to Purchase Nursing Curricula Testing and Supplemental Educational Materials for the System

Chancellor’s Recommendation: That the Board of Trustees authorize the Chancellor or designee to negotiate and execute a contract for the purchase of nursing curricula testing and supplemental educational materials for the System from Elsevier, Inc., 3251 Riverport Lane, Maryland Heights, MO 63043, in the amount of $340,000 annually. The contract will include a three year term with an optional two year renewal for a total estimated amount of $1,700,000 over five years.

Rationale: Lone Star College System requires all students desiring to enter into the Nursing program to take a Health and Environmental Sciences Institute (HESI) entrance exam. Such standardized testing enables the faculty to more accurately assess the student’s ability to progress in the Nursing program. Upon completion of all courses, but before graduation, the students are required to take a HESI exit Exam. Students can take the exam up to five times. Upon graduation, all Boards of Nursing in the United States require candidates to pass the National Council Licensure Examination – Registered Nurse (NCLEX – RN) for licensure as a Registered Nurse (RN) or as a Licensed Vocational Nurse (LVN). The practice tests, case studies, specialty exams, simulation scenarios, and self-paced remediation program assists students in preparing for the NCLEX-RN or LVN exams and increases their probability of passing the exams.

The actual amount of annual purchases will be dependent on student enrollment in the RN/LVN college nursing programs. The estimated spend is based on historical information for the past 12 months, as well as future enrollment projections. The System reserves the right to cancel the award with a thirty day written notice.

This purchase is in compliance with the requirements of Texas Education Code §44.031. Proposals were requested from six (6) vendors and two (2) vendor proposals were received. The award recommendation is based on the product that best meets the requirements of the Nursing Curricula program, as outlined in the attached bid tabulation. The e-books feature provided by Elsevier is a value added component that will greatly benefit the students enrolled in the program.

Fiscal Impact: Funds for this purchase are included in the FY 2011-12 operating budgets. Funds for subsequent years will be included in future proposed budgets. Costs will be offset by testing fees collected from students.

Staff Resource: Donetta Goodall 832-813-6597
# RFP #168 - Nursing Curricula for LSCS

<table>
<thead>
<tr>
<th>PRODUCT OFFERING</th>
<th>KAPLAN</th>
<th>ELSEVIER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entrance Exam (Minimum of 2 versions)</td>
<td>X (Kaplan NCLEX)</td>
<td>X (HESI NCLEX)</td>
</tr>
<tr>
<td>Exit Exam (5 versions)</td>
<td>X (4 versions)</td>
<td>X (5 versions)</td>
</tr>
<tr>
<td>Practice Test, NCLEX type</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Case studies</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Specialty exams and mid curricular</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Simulation software or scenarios</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Textbook</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>E-book</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Self-paced remediation</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Nationally normed based benchmarks (All Exams)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Support both integrated block &amp; LVN programs</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

## EVALUATION CRITERIA

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>POINTS</th>
<th>KAPLAN</th>
<th>ELSEVIER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase Price - pricing is all inclusive for the duration of the student’s nursing career, two years or the time it takes them to complete the program.</td>
<td>35</td>
<td>35</td>
<td>27</td>
</tr>
<tr>
<td>The Reputation of the vendor and/or the vendor's goods or services - Provide a list of three references of accounts similar in size and scope to LSCS. Include company name, contact name, email, phone number, a brief description of products/services provided and the length of awarded contracts for each reference provided.</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>The Quality of the vendor goods/services - Provide a detailed quality control plan and describe the measures that will be applied to provide the services requested in this event, in order to guarantee LSCS will receive satisfactory delivery of services and ensure the system receives best value.</td>
<td>10</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>The extent to which the vendor's goods/services meet the district needs - Provide your company’s profile, experience, staffing, certification. Provide company name, address, telephone, web page, date company established, name and title of company principals, number of years of experience and product offering (per above)</td>
<td>15</td>
<td>8</td>
<td>15</td>
</tr>
<tr>
<td>Past Relationship with the District - This Bid Factor will evaluate how the vendor has performed on a previous contract award and the vendor's track record. All vendors are given 5 points and deduct points for poor documented performance.</td>
<td>5</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Bidder verifies that they have full comprehensive understanding of the requirements in this event - Bidder verifies that their proposal is responsive to the scope of work provided in this event.</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Other Relevant Factor - This Bid Factor will evaluate the comprehensiveness of the vendor's response, i.e., all attachments and required information provided to assess the vendor's capacity, experience, staffing and quality control measures.</td>
<td>5</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>The impact on the ability of the District to comply with laws and rules relating to HUB - Provide copy of Historically Underutilized Business (HUB) certification or HUB plan including percentage of participation and plan/procedures to achieve stated goal. If applicable, provide a list of partnering HUB firms with contact information.</td>
<td>10</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Provide a <strong>SIGNED</strong> copy of the Conflict of Interest Questionnaire provided provided</td>
<td></td>
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<td></td>
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</table>

**Total Score:**

<table>
<thead>
<tr>
<th>KAPLAN</th>
<th>ELSEVIER</th>
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<tbody>
<tr>
<td>100</td>
<td>77</td>
</tr>
</tbody>
</table>
Report: Construction Projects Update

The System’s plant operations and facilities department has provided a summary report of the System’s construction projects. See attached report.
General Obligation Bond Project Summaries – 2008 Election:

- **LSC-North Harris**
  - Punchlist items are complete.
  - Project close-out and warranty work continues.
  - Additional scope items for the Applied Technology building have been completed.

- **LSC-Victory Center**
  - Off-site street improvements on Victory and Vogel are in progress.
  - Punchlist items are complete.
  - Project close-out and warranty work continues.

- **LSC-Kingwood**
  - The final phase of the Student Fine Arts building renovation was completed in mid-November.
  - Project close-out and warranty work continues.
  - Campus way-finding and directional signage adjustments associated with the new buildings continue to be developed.

- **LSC-Atascocita Center**
  - The corrective measures to resolve open electrical issues have been completed.
  - Additional interior signs and graphics have been installed
  - Punch list items are complete.
  - Project close-out and warranty work continues.

- **LSC-Tomball**
  - Additional handrails/guardrails have been installed as required by the City of Tomball to obtain a Certificate of Completion.
  - Project punchlist items, close-out, owner training, and warranty work for the Performing Arts Center have been completed.
  - Project close-out and warranty work continues for the Veterinary Technology building.

- **LSC-Tomball Health Science**
  - Project Complete.

- **LSC-Tomball – Renovation**
Renovation construction documents are complete and will be advertised for bid in December.

**LSC-Montgomery**
- Renovation projects are scheduled for substantial completion by mid-January 2012.
- Project close-out and warranty work continues for the main campus buildings.

**LSC-Conroe Center**
- Way-finding signage, including monument signs at the vehicular entries, will be completed in December.
- Project close-out and warranty work continues.

**LSC-CyFair**
- Completion of the Student Services/Classroom building is currently planned for mid-December.
- The completion of punch list items and project close-out are ongoing.
- The ribbon cutting ceremony for the new buildings was held November 29.
- The first floor renovation of the Library Building for the Student Life program is scheduled for a mid-December completion.

**LSC-Cypress Center**
- LSCS continues to hold meetings with the traffic engineer and Harris County regarding the new Traffic Impact Analysis (TIA). The final report is pending County approval and expected by mid-December.

**LSC-University Park**
- Construction of the new entry drive, visitor parking lot, canopy, lobby finish, and restroom upgrades for buildings 9 and 10 are in progress.
- Construction of faculty and administrative offices has commenced on level 8 of building 13 and will be ready for the Spring Semester.
- Design of the new library, assessment center, and tutoring center, located on level 8 of building 12, has been completed. Construction is underway and scheduled to be complete by mid-January.
- Construction of the corporate college training center on level 1 of building 10 is underway and will be completed in time for use in the Spring Semester.

**Tenant Build-outs:**

**LSC-University Park**
- Construction of the University of Houston leasehold improvements on the second half of level 4 in building 12 is substantially complete. Punchlist work is underway.
- Construction on the first floor of building 13 for Responsive Education’s charter high school is substantially complete. Punchlist work is underway.
- FMC has moved into the sixth floor of building 11.
- A guaranteed maximum price change order has been fully executed for the build-out of Fletcher Yoder’s lease space on level 3 of building 9. Construction is underway.

**Repair and Replacement Projects:**
LSC-North Harris
- Health Professions Building Roof Replacement
  - Request for Proposal issued
- Student Services Building Stair to Ramp
  - Design complete
  - Obtaining construction quotes
- Air Handler Unit (AHU) Replacement – Academics Building
  - In design

LSC-Kingwood
- AHU Rebuild or Replacement (Administration Building)
  - Conducting heat load analysis for area
- AHU Rebuild or Replacement (Classroom Building A)
  - In design
  - Work tentatively scheduled for late May 2012

LSC-Tomball
- Electrical Grounding Repair
  - Engineer reviewing system to provide recommendation

LSC-Montgomery
- Install sump pumps in fire pits
  - In design
- Install Carpet in buildings E101, 102 & B102
  - Work scheduled to be performed during winter break
- Paint Business Office, College Relations Area & Theater
  - Work scheduled to be performed during winter break

LSC-CyFair
- Utility Vehicle Storage Replacement
  - Reviewing proposed location and defining project scope
- Masonry Sealant – Learning Center
  - Work scheduled for completion late December
- Paint Health Science Center Corridor Walls
  - Work scheduled to be performed during winter break

LSC-University Park
- Fitness Center
  - Painting scheduled to be performed during winter break
- American Disabilities Act (ADA) Access Hardware Upgrades
  - Scope of work being reviewed due to occupancy change
  - Reviewing project scope for automatic door openers

LSC-System Office
- Re-commission Roof Top Air Handler Unit (RTU) & Repair Ductwork
  - Engineer selected
  - Preliminary system review underway
Contractor selected for testing and balancing the system
Obtaining construction quotes to modify ductwork

Status Report on the Area Job Order Contract (AJOC) Purchases for Construction Related Projects:

At the August 2010 regular Board meeting, the Board of Trustees approved the purchase of construction services for the System from approved purchasing cooperative program contractors. This approval authorized the System to use the AJOC method for individual projects up to $200,000 and to make collective purchases not to exceed $1,000,000 for FY 2010-11. Projects that exceed $200,000 are to be presented to the Board of Trustees individually for consideration of approval. To ensure the Board of Trustees continues to have information regarding the AJOC projects under $200,000, a brief summary of projects is included in the Facilities Planning and Construction Report each quarter.

❖ The projects listed below were awarded to Dura Pier:
   ♦ Project under $25,000 Complete at Time of Report:
     LSC-UP – Ceiling Repair – $12,302

Status Report on Architectural Design Services for Construction Related Projects:

At the August 2009 regular Board meeting, the Board of Trustees approved the purchase of professional architectural services for construction projects for an amount not to exceed $250,000 over a period of three years from five architectural firms. To ensure the Board has visibility of these purchases, a brief summary of projects is included in the Facilities Planning and Construction Report each quarter.

❖ The projects listed below were awarded to O.C.+A.:
   ♦ LSC-North Harris – Health Professions Building Roof Design – $9,000

Status Report on Engineering Design Services for Construction Related Projects:

At the August 2009 regular Board meeting, the Board of Trustees approved the purchase of professional engineering services for construction projects for an amount not to exceed $500,000 over a period of three years from five engineering firms. To ensure the Board has visibility of these purchases, a brief summary of projects is included in the Facilities Planning and Construction Report each quarter.

❖ The projects listed below were awarded to Smith, Seckman & Reid:
   ♦ LSC-Kingwood – Admin. AHU Evaluations – $20,000
   ♦ LSC-System Office – RTU Evaluation & Associated Ductwork – $9,500

❖ The projects listed below were awarded to Marshall Engineering:
   ♦ LSC-CyFair – Air Quality Improvement Study – $8,000

❖ The projects listed below were awarded to Bovay Engineering:
   ♦ LSC-North Harris – AHU Replacement – Learning Center – $20,000

❖ The projects listed below were awarded to Smith, Seckman & Reid:
   ♦ LSC-Kingwood – Admin. AHU Evaluations – $20,000
   ♦ LSC-System Office – RTU Evaluation & Associated Ductwork – $9,500
Request: Consideration of Ratification of Appointments.

Chancellor’s Recommendation: That the contractual appointments listed on the following pages be ratified for the positions indicated.

Rationale: These contractual appointments include ratification of Administrators and Faculty from the LSC-CyFair, and LSC-Kingwood.

Fiscal Impact: Positions and salaries have been budgeted for 2011-2012.

Staff Resource: Rand Key 832-813-6522
a. **LSC-CyFair**

**Erin Alonzo, Director, Student Services**

**Effective:** Twelve month contracted employee at an annual salary of $67,000 beginning November 1, 2011.

**Education:** M.B.A., Indiana University, Major: Business Administration; B.S., State University of New York, Major: Business Management.

**Experience:** Director, Operations and Technology, St. Bonaventure University; Director, Admissions, Ancilla Domini College; Assistant Director, Admissions, Indiana University Kokomo; Student Development/Advising, The University of Texas-Pan American.

b. **LSC-Kingwood**

**Susan Goodwin, Reference Librarian/Assistant Professor**

**Effective:** 4.5-month contracted employee at a semester salary of $18,949 beginning September 12, 2011.

**Education:** M.L.S., Simons College, Major: Library Science; B.A., Brandeis University, Major: English.

**Experience:** Adjunct Reference Librarian, Part-Time Special Projects Manager, Interim Reference Coordinator, Lone Star College-Kingwood; Part-Time Technical Librarian, Access Information Associates; Substitute Teacher and Librarian, Humble ISD, Montgomery County Public Schools-MD, Hartford County Public Schools-MD, and Aberdeen Proving Ground Preschool-MD.
Request: Consideration of Resignation

Chancellor’s Recommendation: That the resignation listed below be accepted and acknowledged.

LSC-Tomball

Katherine Reynolds, Professor, English
Effective October 26, 2011

Staff Resource: Rand Key 832-813-6522
Request: Consideration of Approval of Commissioning of Peace Officers

Chancellor’s Recommendation: That the Board of Trustees approves the commissioning of the following peace officers for the Lone Star College System.

Lone Star College–North Harris
Jessica M. Gray
Wayland C. Edwards

Rationale: These officers are eligible to be commissioned by this Board because they:
1. Have a current license from the Texas Commission on Law Enforcement Officer Standards and Education;
2. Have taken and filed the oath required of peace officers; and
3. Possesses a sufficient number of college credit hours to meet the minimum standard for a Lone Star College System peace officer.

Fiscal Impact: None

Staff Resource: Rand Key 832-813-6522