

#### September 29, 2023

#### NOTICE OF MEETING

The **Regular Meeting** of the Board of Regents of the Del Mar College District will convene at **1:00 p.m.**, **Tuesday**, **October 3**, **2023**, at the Center for Economic Development, 3209 S. Staples, Room 106, Corpus Christi, Texas.

AGENDA
CALL TO ORDER
QUORUM CALL
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE

DMC VISION STATEMENT: Del Mar College will be the premier choice for life-changing educational opportunities, provided by responsive, innovative faculty and staff who empower students to improve local and global communities.

Del Mar College is streaming live audio and video from the official Board of Regents meetings on the College's website in real-time, with the exception of portions of the meeting considered as "closed session" by statute.

#### GENERAL PUBLIC COMMENTS (Non-Agenda Items) – 3-minute time limit

- Specific Public Comments will be allowed on agenda items prior to action by the Board.
- General Public Comments may be moved on the agenda at the discretion of the Board Chair and as an accommodation to those in attendance.
- Pursuant to the Texas Open Meetings Act, the College is limited in responding to public comments or inquiries as follows:
  - 1. Provide a statement of specific factual information in response to an inquiry.
  - Recite existing policy in response to an inquiry.
  - 3. Propose placing the subject of the inquiry on the agenda for a subsequent meeting.

(Tex. Govt. Code Section § 551.042)

#### RECOGNITIONS:

Continuing Education Health Care Programs
 (Goal 3: Academic Preparedness and Student Learning)

#### 

- September 19, 2023: Incident Management Training (Goal 4: Learning Environments)
- September 19, 2023: TACC Business Advisory Committee Meeting (Goal 5: Workforce Development, Community Partnerships, and Advocacy)
- September 21, 2023: Community College Leadership Meeting (Goal 5: Workforce Development, Community Partnerships, and Advocacy)
- CEO Annual Report to the Board Title IX/SB212 (Goal 4: Learning Environments)

#### REGENT'S REPORT

- September 14-16, 2023: CCATT Annual Conference, Ft. Worth (Goal 5: Workforce Development, Community Partnerships, and Advocacy)
- Discussion and Announcement related to the appointment of a representative to the Nueces County Appraisal District Board, including application process, qualifications, and deadline

(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

 Discussion related to the San Patricio County Appraisal District Board of Directors' Election process
 (Goal 5: Workforce Development, Community Partnerships, and Advocacy)

#### STAFF REPORTS:

- Overview of DMC Emergency Operations Plan......Ms. Tammy McDonald (Goal 4: Learning Environments)

#### PENDING BUSINESS:

Status Report on Requested Information

(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

#### CONSENT AGENDA

#### Notice to the Public

The following items are of a routine or administrative nature. The Board of Regents has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Board member or a citizen, in which event the item(s) will immediately be withdrawn for individual consideration in their normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

#### CONSENT MOTIONS:

(At this point the Board will vote on all motions not removed for individual consideration.)

#### ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

1. Approval of Minutes:

Regular Board Meeting, August 8, 2023

Public Hearing, September 12, 2023

(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Public comments for consent agenda item

#### REGULAR AGENDA

| 2. | Discussion and possible action regarding Internal Audit Reports, Status, Fiscal Year 2023/2024 Proposed Plan, and Fiscal Year 2022/2023 Annual Internal Audit Report   |  |  |  |
|----|--|--|--|--|
|    |  |  |  |  |
|    | Public comments for this agenda item   |  |  |  |
| 3. | Discussion and possible action related to approval of Bachelor of Applied Science (BAS)  Degree in Organizational Management and LeadershipDr. Jonda Halcomb  (Goal 1: Completion)   |  |  |  |
|    | Public comments for this agenda item   |  |  |  |
| 4. | Discussion and possible action on approval of the second amendment to the Interlocal Contract between Del Mar College and the City of Corpus Christi to construct the City's Police Training Academy on Del Mar College property for the construction of a City Corpus Christi Police Substation |  |  |  |
|    | Public comments for this agenda item   |  |  |  |
| 5. | Discussion and possible action on Annexation – 10.817 Acres at the northeast end of London Pirate Road (formerly County Road 33) south of Oso CreekMr. John Strybos (Goal 6: Financial Effectiveness and Affordability)  |  |  |  |
|    | Public comments for this agenda item   |  |  |  |
| 6. | Discussion and possible action related to the College's Quarterly Financial Statement for the period ending August 31, 2023  |  |  |  |
|    | Public comments for this agenda item   |  |  |  |
| 7. | Discussion and possible action regarding Aransas County's proposal to assign and transfer a U.S. Department of Commerce Economic Development Administration grant and to transfer the Workforce Development Center property and other funds to Del Mar College                                   |  |  |  |

Public comments for this agenda item

- 8. CLOSED SESSION pursuant to:
  - A. <u>TEX. GOV'T CODE § 551.071</u>: (Consultation with legal counsel), regarding pending or contemplated litigation, or a settlement offer, and the seeking of legal advice from counsel, with possible discussion and action in open session;
  - B. <u>TEX. GOV'T CODE § 551.076</u>: (Deliberation regarding security devices or audits), regarding the deployment or specific occasions for implementation of security personnel or devices, or a security audit, with possible discussion and action in open session;
  - C. <u>TEX. GOV'T CODE § 551.089</u>: (Deliberation regarding security devices or audits), regarding security assessments or deployments related to information, resources, technology, IT and network security information, or the deployment of specific occasions for implementation of security personnel, critical infrastructure, or security devices with possible discussion in open action in open session;
  - D. <u>TEX. GOV'T CODE § 551.072</u>: (Real Property Deliberation), regarding the potential purchase, exchange, lease, or value of real property with possible discussion and action in open session; and,
  - E. <u>TEX. GOV'T CODE § 551.074(a)(1)</u>: (Personnel Matters), regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, with possible discussion and action in open session

CALENDAR: Discussion and possible action related to calendaring dates.

#### ADJOURNMENT

PUBLIC NOTICE is given that the Board may elect to go into executive session at any time during the meeting in order to discuss matters listed on the agenda, when authorized by the revision of the Open Meetings Act, Chapter 551, of the Texas Government Code.

# Student Success Report

# Continuing Education Health Care Programs Student Success Highlights

October 2023

Lenora Keas
Executive Vice President and Chief Operating Officer

Dr. Leonard Rivera

Associate Vice President, Continuing Education and Off-Campus Programs



## CE HEALTH CARE PROGRAMS

- Classes offered for open enrollment and in high schools.
- New partnerships with Ben Bolt ISD and Mathis ISD.
- Partnership with 24 different Independent School Districts.
- Pinning Ceremonies held in spring for high students who earned national certifications in Electrocardiography, Phlebotomy, Patient Care Technician and Basic Medical Assistant.
- · Parent information nights held regularly for high schools.
- High School counselor informational sessions conducted each semester.
- Programs marketed at career and outreach fairs.
- Participated at the 2023 DMC Day at the Capital.
- Rockport portable classroom set-up and class offerings.

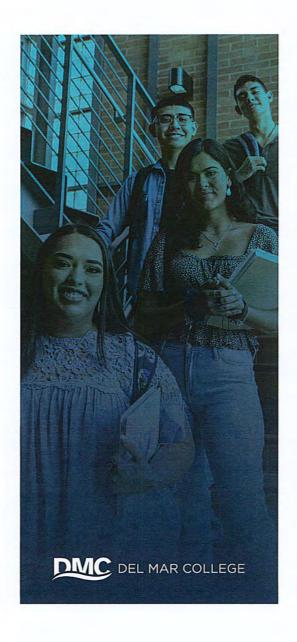


## **CERTIFICATIONS**

The Continuing Education Department offers certifications for Health Care Program students in the following areas:

- Electrocardiography (American Allied Health)
- Phlebotomy (American Allied Health)
- Patient Care Technician (American Allied Health)
- Medical Assistant (American Allied Health)
- Certified Nurse Aide (Texas Health and Human Services)
- CPR (American Heart Association)





# DEL MAR COLLEGE CE HEALTH CARE STUDENTS

| Certifications     | 2020-<br>2021 |       | 2022-<br>2023 |
|--------------------|---------------|-------|---------------|
| High Schools       | 743           | 1,263 | 1,381         |
| Open<br>Enrollment | 120           | 319   | 350           |













# College President's Report



#### **Chief Executive Officer Report**

TO: Del Mar College Board of Regents

FROM: Mark Escamilla, Ph.D., President & Chief Executive Office

DATE: October 3, 2023

RE: Chief Executive Officer Reporting Requirements under Tex. Educ. Code § 51.253(c)

Under the Texas Education Code (TEC), Section 51.253(c), the institution's Chief Executive Officer is required to submit a report at least once during each fall or spring semester to the institution's governing body and post on the institution's internet website a report concerning the reports received by employees under the TEC, Section 51.252, concerning "sexual harassment," "sexual assault," "dating violence," or "stalking" as defined in the TEC, Section 51.251, and any disciplinary actions taken under TEC, Section 51.255.

For the purposes of complying with the Chief Executive Officer's reporting requirements under TEC, Section 51.253(c), the attached summary data report<sup>1</sup> includes all of the required reporting information to the Del Mar College Board of Regents for the time period of <u>September 1, 2022 through August 31, 2023</u>. The summary data report is categorized based on the reporting requirements under TEC, Section 51.253(c). The reports received may be applicable in multiple reporting categories, and therefore, the summary data in the categories may not add up to the totals of other categories.

The summary data report is also posted on the institution's website as per the public reporting requirements under TEC, Section 51.253(c) at: <a href="https://delmar.edu/offices/titleix/reporting.html">https://delmar.edu/offices/titleix/reporting.html</a>

Note: Any additional reports received by the Title IX Coordinator that do not meet the required reporting criteria in the Texas Education Code have been omitted for the compliance purposes of this specific report.

delmar.edu

<sup>&</sup>lt;sup>1</sup> When identifiable, duplicate reports were consolidated and counted as one report in the summary data, and confidential employee reporting is noted as a sub-set to the total number of reports received.

101 Baldwin Blvd.

#### **CEO Summary Data Report**

September 1, 2022 through August 31, 2023

|  | Texas Education Code, Section 51.252                                |      |  |
|--|---|------|--|
| Number   | of reports received under Section 51.252                            | 8    |  |
| Number of confidential reports <sup>2</sup> under Section 51.252 |   |      |  |
| Number o   | of investigations conducted under Section 51.252                    | 1    |  |
| Dispo  | sition <sup>3</sup> of any disciplinary processes for reports under |      |  |
| Section  | on 51.252:  |      |  |
| a.   | Concluded, No Finding of Policy Violation                           | a. 0 |  |
| b.   | Concluded, with Employee Disciplinary Sanction                      | b. 0 |  |
| c.   | Concluded, with Student Disciplinary Sanction                       | c. 1 |  |
| d.   | SUBTOTAL  | d. 1 |  |
| Numb   | per of reports under Section 51.252 for which the                   | N/A  |  |
| institu  | ution determined not to initiate a disciplinary process             |      |  |

|           | Texas Education Code, Section 51.255  |     |
|-----------|---|-----|
| employee' | f reports received that include allegations of an<br>s failure to report or who submits a false report to<br>tion under Section 51.255(a) | 0   |
|           | isciplinary action taken, regarding failure to report or reports to the institution under <b>Section 51.255(c)</b> :                      | N/A |
| a.        | Employee termination  | ,   |
| b.        | Institutional intent to termination, in lieu of employee resignation  |     |

<sup>&</sup>lt;sup>2</sup> "Number of confidential reports" is a sub-set of the total number of reports that were received under Section 51.252, by a confidential employee or office (e.g., Counseling Center, Student Health Center, Victim Advocate for Students, or Student Ombuds).

<sup>&</sup>lt;sup>3</sup> "Disposition" means "final result under the institution's disciplinary process" as defined in the Texas Higher Education Coordinating Board's (THECB) rules for TEC, Section 51.259 [See 19 Texas Administrative Code, Section 3.6(3) (2019)]; therefore, pending disciplinary processes will not be listed until the final result is rendered.

# Staff Reports

Statistical Profile 2022-2023

Lenora Keas Executive Vice President and Chief Operating Officer

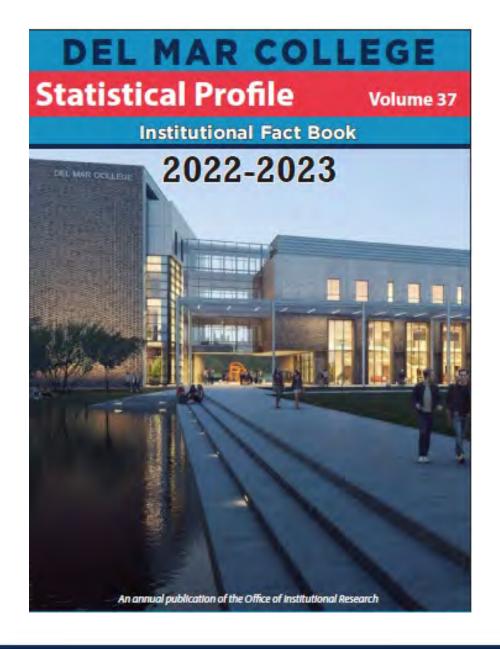
# Statistical Profile Institutional Fact Book 2022-2023

An annual publication of the Office of Institutional Research

October 3, 2023

Lenora Keas

Exec. Vice President and COO





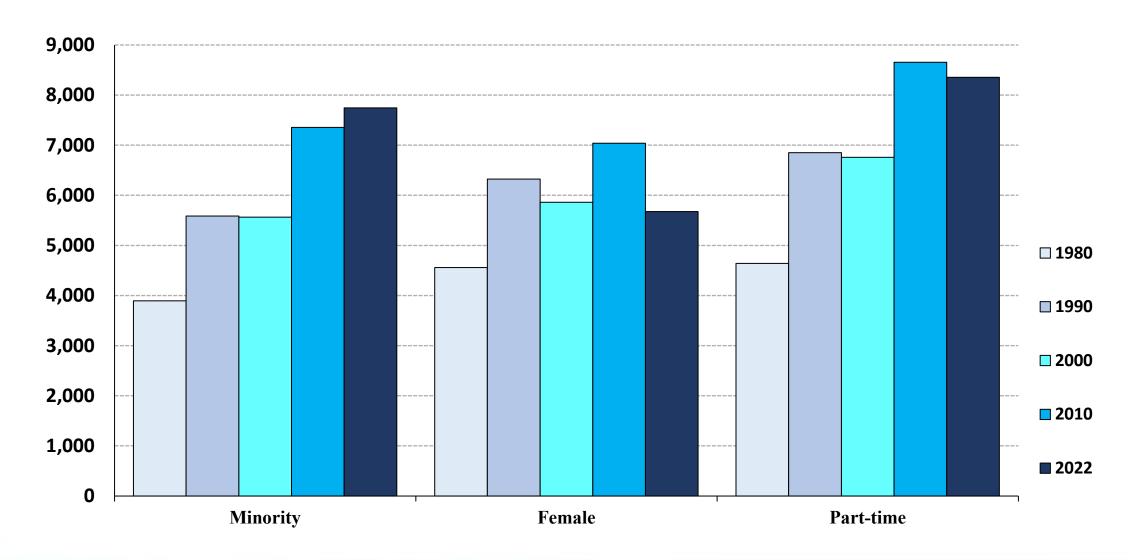
# Award Winning Fact Book Statistical Resource for 37 Years

- Prepared by the Department of Institutional Research
- Access at <u>www.delmar.edu/InstitutionalResearch</u> or email: spallemoni@delmar.edu
- Provides an overview of the College Profile by students and outcomes for each department and program
- Key sections and topics support the Strategic Plan and Program Review

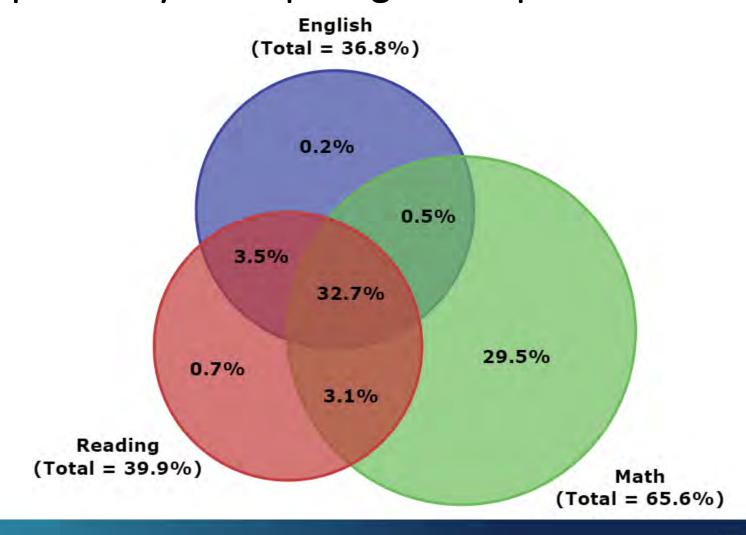
## Extensive Data on the Student Profile

- By Contact Hours, Enrollments, First-Time-In-College, Full-Time and Part-Time
- Demographics, Major and Headcount
- Details on In-district and Out of District Student Enrollment
- Number of Students Needing Developmental Education and Financial Aid Awards

## Student Characteristics from 1980 to 2022



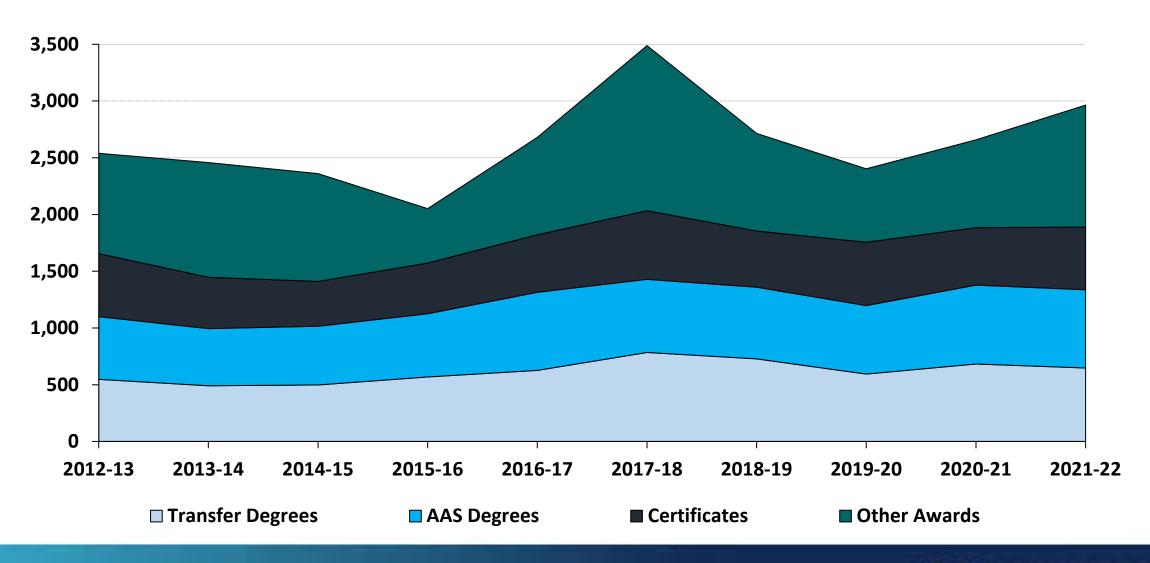
# Percent of Fall 2022 First-Time-In-College Freshman Students Placed Upon Entry as Requiring Developmental Course Work



## In-depth Data on Graduates and Outcomes

- Degrees, Certificates, and Other Awards by Year
- Awards by Gender and Race/Ethnic Origin
- Transfers to Other Institutions
- Graduation Rates
- Certificate and Licensure Pass Rates
- Persistence Rates

# Awards by Type and Academic Year



# Overview of Special Programs and Semesters eLearning, Dual Credit & Flexible Scheduling

 eLearning (Internet and Hybrid) Enrollment, Number of Classes, Average Class Size, and Contact Hours

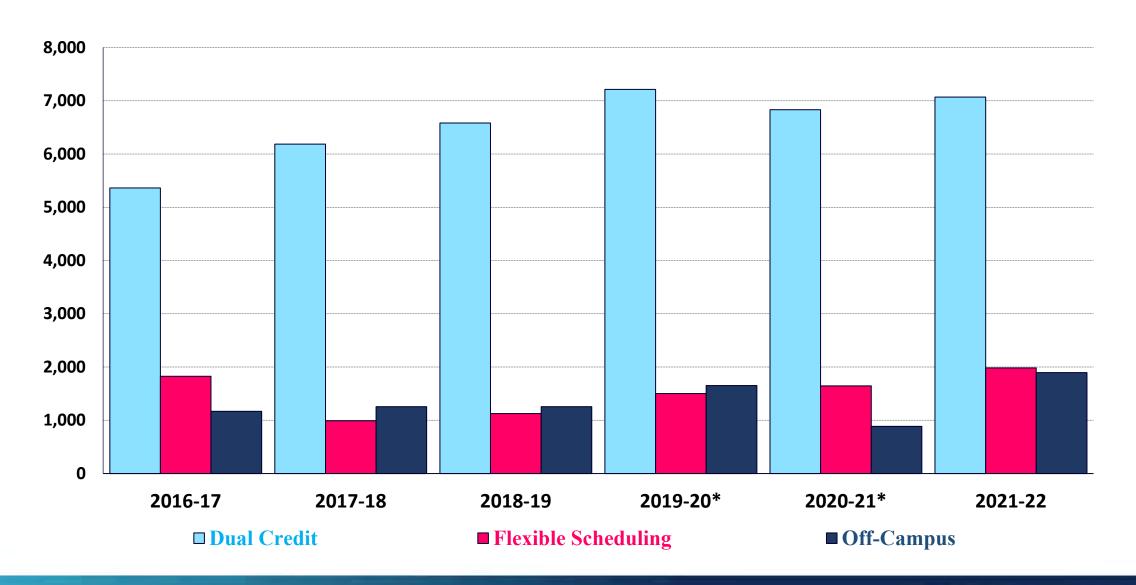
Dual Credit Course Enrollment

Off-Campus Course Enrollment

 Flexible Scheduling Course Enrollment (Eight-Week, Rapid Track/May-mester/Non-Standard Length, Weekend)



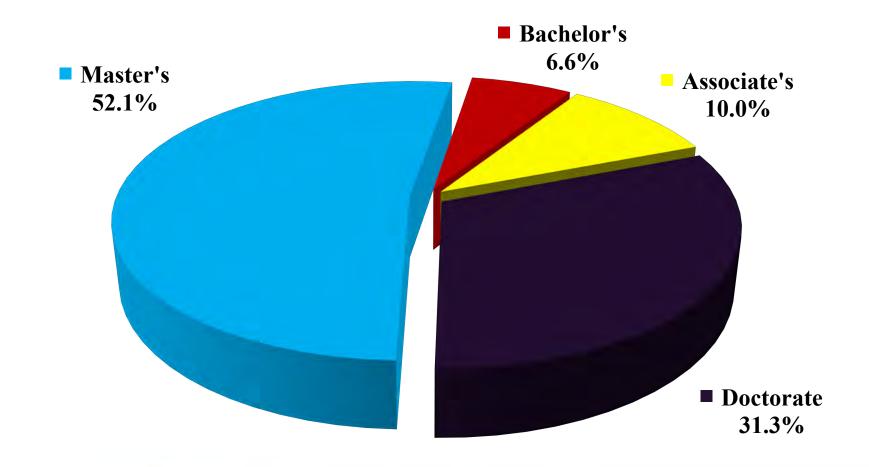
## Annual Non-Traditional Enrollment



## Faculty and Staff Data

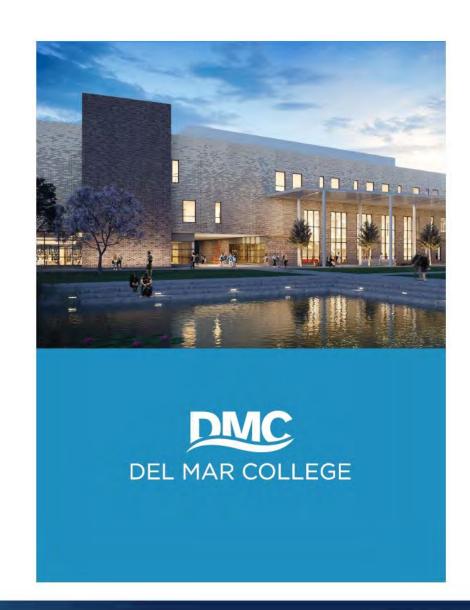
- Faculty by Division, Rank, and Education
- Faculty by Gender, Race/Ethnicity
- Full-Time Equivalent Teaching Staff by Discipline
- Average Nine-Month Faculty Salaries
- Employee Groups by Gender, Race/Ethnicity

# Highest Degree Earned for Tenured/Tenure-Track Faculty Fall 2022



Questions?

Thank you



Strategic Plan 2019-2024 Update and Strategic Plan 2024-2029 Process

Dr. Natalie Villarreal Executive Director of Strategic and Operational Initiatives





# Agenda

# 2019-2024 Plan

- Overview of 2019-2024 Process
- Update Goal 1: 2019-2024 Strategic Plan

# 2024-2029 Plan

- Update on 2024-2029 planning process
- Board Engagement

### October 2023

2019-2024 Strategic Plan

Goal 1: Completion

#### November 2023

2024-2029 Strategic Plan

**BOR Visioning Workshop** 

- Mission
- Vision

### **December 2023**

2019-2024 Strategic Plan

Goal 2: Recruitment and Persistence

#### **March 2024**

2019-2024 Strategic Plan

Goal 3: Academic Preparedness and Student Learning

Goal 4: Learning Environments

### **June 2024**

2019-2024 Strategic Plan

Goal 5: Workforce Development, Community Partnerships, and Advocacy

Goal 6: Financial Effectiveness and Affordability

## August 2024

2019-2024 Plan- Wrap Up

2024-2029 Plan- Launch

# 2014-2019 GOALS Strategic Plan: Aspire. Engage. Achieve.

**G1:** Completion

**G2:** Recruitment and Persistence

G3: Academic Preparedness and Student Learning

G4: Learning Environments

G5: Workforce
Development,
Community
Partnerships, and
Advocacy

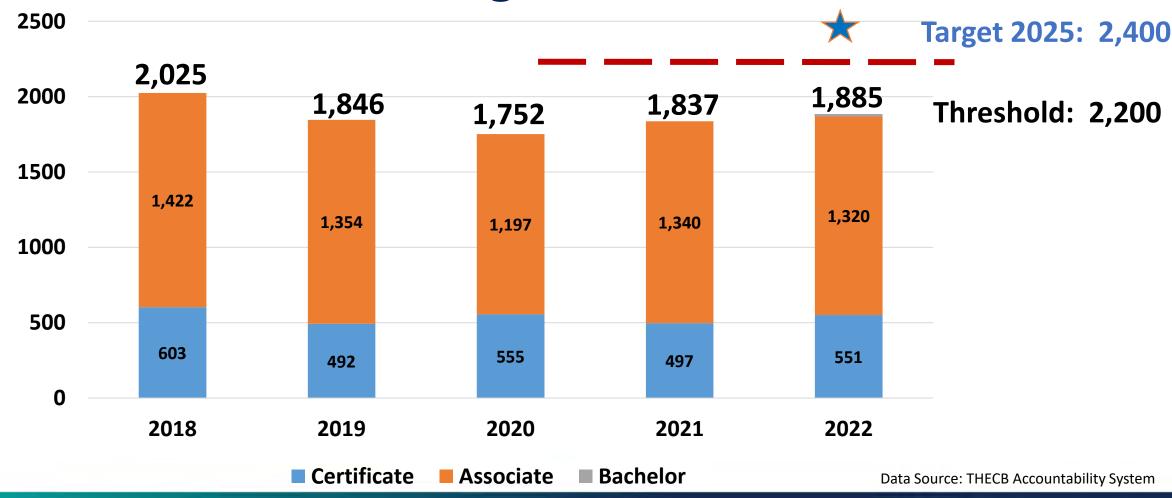
G6: Financial Effectiveness and Affordability

# 2019-2024 Strategic Plan GOAL ONE KPIs: COMPLETION

Create cohesive and seamless pathways that guide students to achieve their educational goals

- 1. Number of degrees and certificates awarded
- 2. Graduation rates (3yr, 4yr, 6yr)
- 3. Average time to complete an associate degree
- 4. Average semester credit hours (SCH) attempted when completing an associate degree
- 5. Percentage of students enrolled part-time and full-time
- 6. Transfer to a four-year institution
- 7. Dual credit success

# **KPI 1 - Degrees and Certificates Awarded**Credit Program students



# **KPI 1 - Certificates Awarded Continuing Education Programs**

| Continuing Education Programs - Completion Certificates Issued |           |           |           |           |           |  |  |  |
|--|-----------|-----------|-----------|-----------|-----------|--|--|--|
| Program Type   | 2017-2018 | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 |  |  |  |
| Health Care  | 1,355     | 1,922     | 2,046     | 4,132     | Pending   |  |  |  |
| Safety   | 396       | 740       | 557       | 218       | Pending   |  |  |  |
| NCCER/Industrial Certifications                                | 36        | 59        | 21        | 64        | Pending   |  |  |  |
| TOTAL  | 1787      | 2721      | 2624      | 4414      |           |  |  |  |

Data Source: DMC Office of Continuing Education

# **KPI 1 – Combined Credit and Continuing Education Awards**

2020-2021

Total Credit Awards: Degrees & Certificates

1837

Total Continuing
Education (CE) Awards:
Degrees & Certificates

4414

**Total** Credit & CE Awards & Certificates

6251

Data source: THCEB Accountability System & DMC Office of Continuing Education

# **KPI 2 - Graduation Rates, First-Time in College (FTIC) Students**

| 3 Year Graduation Rate   |           |           |       |           |             |
|--------------------------|-----------|-----------|-------|-----------|-------------|
|                          | 2020      | 2021      | 2022  | Threshold | Target 2024 |
| Del Mar College          | 14.4%     | 14.9%     | 15.7% | 15%       | 20%         |
| TX Large Colleges Cohort | 20.4%     | 22.6%     | 21.6% |           |             |
| 4 Ye                     | ar Gradua | tion Rate |       |           |             |
|                          | 2020      | 2021      | 2022  | Threshold | Target 2024 |
| Del Mar College          | 24.6%     | 20.2%     | 21.1% | 20%       | 25%         |
| TX Large Colleges Cohort | 30.0%     | 30.3%     | 32.5% |           |             |
| 6 Ye                     | ar Gradua | tion Rate |       |           |             |
|                          | 2020      | 2021      | 2022  | Threshold | Target 2024 |
| Del Mar College          | 30.3%     | 29.8%     | 33.8% | 22%       | 28%         |
| TX Large Colleges Cohort | 42.7%     | 41.6%     | 42.5% |           |             |

Data Source: THECB Accountability System

# **KPIs 3 & 4 - Time and SCH to Associate Degree**

| Average Time to Degree (Years) |      |      |      |           |             |
|--------------------------------|------|------|------|-----------|-------------|
|                                | 2020 | 2021 | 2022 | Threshold | Target 2024 |
| Del Mar College                | 5.1  | 4.9  | 4.8  | 5 Years   | 4.5 Years   |
| TX Large Colleges Cohort       | 3.8  | 3.7  | 3.6  |           |             |

| Average Semester Credit Hours (SCH) to Degree |      |      |      |           |             |
|---|------|------|------|-----------|-------------|
|   | 2020 | 2021 | 2022 | Threshold | Target 2024 |
| Del Mar College                               | 91   | 89   | 88   | 93 SCH    | 83 SCH      |
| TX Large Colleges Cohort                      | 86   | 83   | 81   |           |             |

# KPI 5: Credit Students, Full-Time & Part-Time Enrollment Comparison

| Enrollment Status: Full-Time and Part-Time |           |           |           |           |             |
|--|-----------|-----------|-----------|-----------|-------------|
|  | Fall 2020 | Fall 2021 | Fall 2022 | Threshold | Target 2024 |
| Full-Time                                  | 19%       | 19%       | 18%       | 27%       | 35%         |
| Part-Time                                  | 81%       | 81%       | 82%       | 73%       | 65%         |

Data includes all students enrolled in credit programs in the semesters identified. **Does not include dual credit students**..

Data Source: DMC Office of Institutional Research



# **KPI 6 – First Time In College (FTIC) Student Transfer to**a Four-Year Institution

# Transfer to a Four-Year Institution

|                          | 2020  | 2021  | Threshold | Target 2024 |
|--------------------------|-------|-------|-----------|-------------|
| Del Mar College          | 14.2% | 12.1% | 10%       | 17%         |
| Large TX Colleges Cohort | 32.2% | 30.6% |           |             |

Data Source: THECB Accountability System



# **KPI 6 - Transfer to a Four-Year Institution**

# Number of All Students in Credit Programs Transferring Annually

|   | 2018-2019 | 2019-2020 | 2020-2021 |
|---|-----------|-----------|-----------|
| Students Transferring<br>to a 4-Year Institution          | 1,979     | 1,929     | 1,786     |
| Students Transferring to Community and Technical Colleges | 262       | 294       | 254       |

Data Source: Office of Institutional Research



# **KPI 7 – Dual Credit Success**

# **High School Seniors Enrolled in Dual Credit College Credit Programs**

|           | Number of<br>Students in<br>Cohort | Students Earning a<br>College Degree or<br>Certificate at DMC<br>by H.S. Graduation | Students Matriculating to DMC within one year of Completing H.S. | Students Earning a College Degree or Certificate at DMC within one year of Completing H.S. |
|-----------|------------------------------------|---|--|--|
| 2021-2022 | 1186                               | 137 (11.5%)   | 353 (29.7%)  | 145 (12.2%)  |
| 2020-2021 | 1220                               | 114 (9.3%)  | 346 (28.4%)  | 160 (13.1%)  |
| 2019-2020 | 1325                               | 135 (10.2%)   | 401 (30%)  | 128 (9.7%)   |
| 2018-2019 | 1395                               | 141 (10.1%)   | 465 (33.3%)  | 164 (11.8%)  |

Data Source: Office of Institutional Research



# **KPI 7 - Dual Credit Success cont.**

# **Continuing Education Dual Enrollment**

# **Certifications Earned**

| 2019-2020 | 2020-2021 | 2021-2022 |
|-----------|-----------|-----------|
| 238       | 863       | 1,263     |

Data source: DMC Office of Continuing Education



# Initiatives & Strategies to support the Strategic Plan

**Project SENDA Title V- HSI Grant** 

**Guided Pathways** 

**EMSI- Career Coach Softward** 

**Professional Development Opportunities** 

**Faculty Resources for Advising** 

### **Advising**

- Student Touchpoints with Advisors
- MAP Advisors
- Advising Checklists

**Anthology** 

**Civitas Learning** 



# **Strategic Planning Board Engagement**

Spring 2023

Summer 2023

Fall 2023 Spring 2024

Fall 2024

Workshop on External Trends and Influences

Strategic Enrollment

Management (SEM)

Workshop on

Presentation on House Bill 8- 88<sup>th</sup> Legislative Session Report: 2014-2019 Goal 1 & 2

GOdi I & Z

Workshop on 2024-2029 Visioning: Mission & Vision

Report: 2014-2019

Goals 3-6

Workshop on 2024-2029 Draft Plan Workshop on 2014-2019 Strategic Plan Progress & Lessons Learned

Presentation on 2024-2029 Strategic Plan for Review and Approval Overview of DMC Emergency Operations Plan

Ms. Tammy McDonald Vice President of Administration and HR

# Overview of DMC Emergency Operations Plan (EOP)

October 3, 2023

Tammy McDonald

Vice President of Administration and Human Resources



### **Emergency Management Planning Team**

- Tammy McDonald, Vice President of Administration & HR
- John Strybos, Vice President & CPFO
- Lauren White, Interim Chief of Police
- Chris Tweddle, Director of Environmental Health & Safety
- Alex Cahill, Environmental Health & Safety Manager
- Jessica Alaniz, Executive Director of Administration







- Texas Education Code § 37.2071 requires submission of EOP to the Texas School Safety Center (TxSSC)
- January 2022 First EOP submission
- October 2022 Second submission; State requested all entities submit a revised EOP to include additional elements
- December 2022 DMC received Comment Report from TxSSC review was complete with no additional information required





- Resubmission of the EOP was requested by TxSSC with due date of October 25th
- Revisions to the EOP are in progress to incorporate new requirements



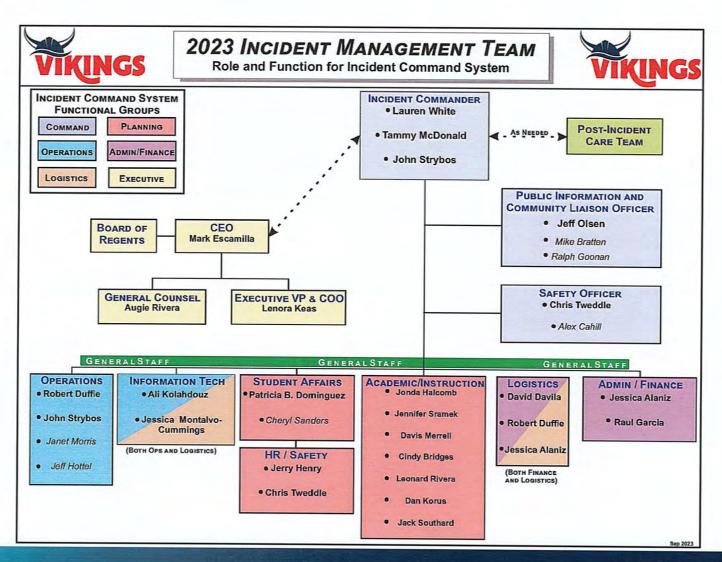
### **Plan Highlights**

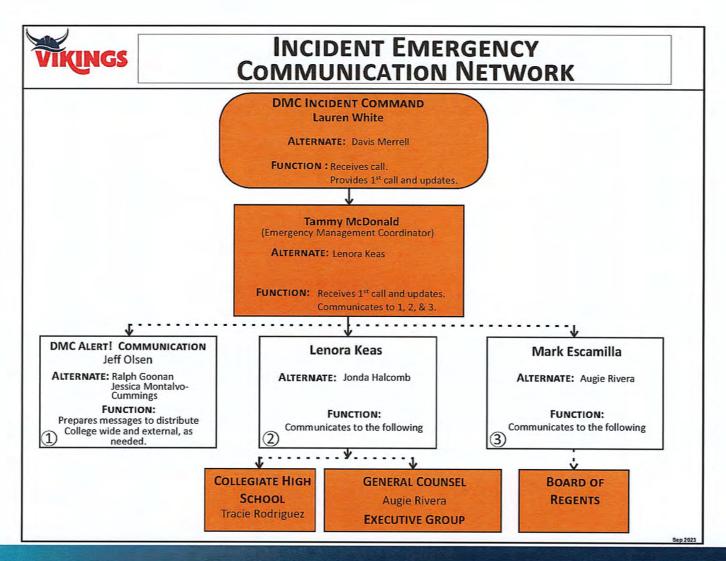
- Basis for emergency management
- Information to establish a framework



- Establishes the use of National Incident Management System (NIMS) for Incident Command
- Roles & responsibilities for the Incident Management Team & establishes Emergency Communication flow









### **Plan Highlights**

Procedures & guidelines for various incidents like:

Severe Weather

**Active Threat** 

**Hazardous Materials** 

**Medical Emergencies** 

Provides additional detailed information in Glossary of Terms and Annexes



### **EOP Steps**

- Overview of EOP with Board of Regents
- Tabletop Exercise for Incident Management Team (September 19th)
- Finalize EOP
- President/CEO signs Promulgation Statement
- Move forward with EOP implementation and distribution
- On or before October 25, 2023, submit revised EOP to TxSSC

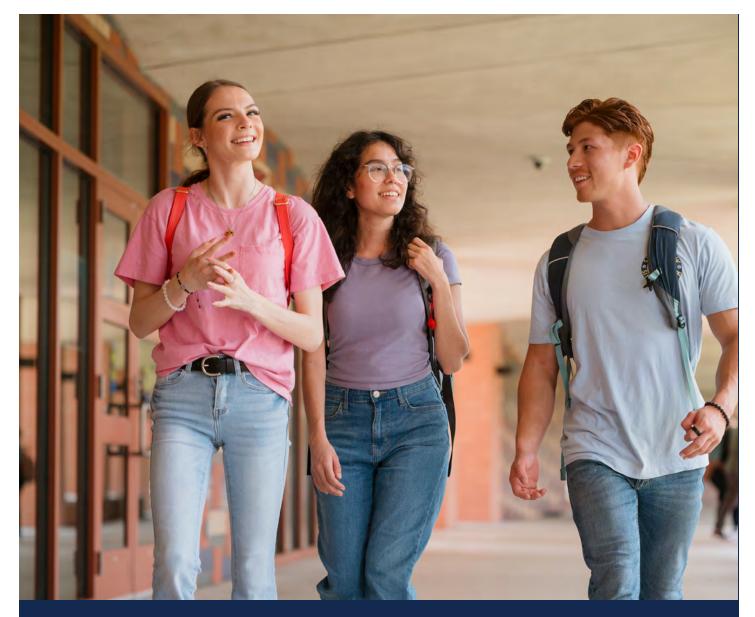
# Thank you





Annual Safety and Security Report (Clery)

Ms. Tammy McDonald Vice President of Administration and HR



# **2023 Annual Security and Safety Report**

### Crime Security Awareness, Safety and Prevention

- Jeanne Clery Disclosure of Campus Security Policy
- Campus Crime Statistics 2020-2022
- Safety Programs and Services including sexual assault and sexual violence
- Drug-Free Schools and Communities Act
- Violence Against Women Act



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# Del Mar College is an Equal Opportunity/Affirmative Action Employer and Educational Institution.

The College takes affirmative action to endeavor that no person shall be denied the benefits of equal employment or be subjected to discrimination in employment or educational programs and activities of Del Mar College on the basis of race, color, sex (including pregnancy, gender identity/transgender status, sexual orientation), age, national origin, religion, disability, or any other constitutionally or statutorily impermissible reason.

#### A Message from the Del Mar College Clery Compliance Committee

We are pleased to distribute the 2023 Annual Security and Safety Report (ASR) for Del Mar College (DMC). The ASR is prepared annually to be in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and subsequent amendments specified in the Higher Education Opportunity Act (HEOA) and the reauthorization of the Violence Against Women Act (VAWA).

The ASR was prepared by the DMC Compliance Committee whose members are the Chief of Police, the Director of Environmental Health and Safety Office, the Executive Vice President and Chief Operating Officer, the Dean of Student Engagement and Retention, the Associate Vice President for Student Affairs, the Vice President of Administration and Human Resources, the Executive Director of Administration, and General Counsel. The ASR is an overall guide for many safety and security policies at DMC and provides information about education and prevention programs in which all community members are invited to participate. The ASR also provides crime statistics for the 2020-2022 calendar years for review.

The safety and well-being of our students, staff, faculty, and visitors are of the utmost importance and are continually at the forefront of what we do. Del Mar College consistently works to reduce the risk and potential for crime and other hazardous situations. However, despite our best efforts, crimes and hazardous situations may still occur. Safety and Security is a shared responsibility, and we expect all DMC community members to contribute to the safety and security of our campuses. If you see something that needs to be addressed, contact DMC Security at (361) 698-1946.

If you have any questions or suggestions regarding this publication, please contact the Interim Chief of Police at (361) 698-2900, Environmental Health and Safety at (361) 698-1641, or the Dean of Student Engagement and Retention at (361) 698-1277.

#### **DMC Compliance Committee**

Lenora Keas
Executive Vice President and Chief Operating Officer

Tammy McDonald

Vice President of Administration and Human Resources

Cheryl G. Sanders
Associate Vice President for Student Affairs

Rita Hernandez

Dean of Student Engagement and Retention

Lauren White Interim Chief of Police

J. Chris Tweddle Director of Environmental Health and Safety Office

Jessica A. Alaniz Executive Director of Administration

Augustin Rivera, Jr. General Counsel

### **Campus Resources**

| Resource  | Contact               |
|---|-----------------------|
| Counseling Center<br>Harvin Student Center, Heritage Campus, Room 233A<br>www.delmar.edu/counsel                                | (361) 698-1586        |
| Dean of Student Engagement and Retention<br>Harvin Student Center, Heritage Campus, Room 204<br>www.delmar.edu/engage           | (361) 698-1277        |
| Campus Security<br>Maintenance Building, Heritage Campus,<br>Room 115A <u>www.delmar.edu/safety</u>                             | (361) 698-1946        |
| Del Mar College Police Department<br>3002 Ayers St. Heritage Campus<br>www.delmar.edu/safety                                    | (361) 698-2900        |
| Environmental Health and Safety<br>Emerging Technology, Windward Campus,<br>Room 106 www.delmar.edu/safety                      | (361) 698-1641        |
| Financial Aid Services<br>Harvin Student Center, Heritage Campus, Room 263<br>www.delmar.edu/finaid                             | (361) 698-1293        |
| Disability Services Office<br>Harvin Student Center, Heritage Campus, Room 188<br>www.delmar.edu/disability                     | (361) 698-1292        |
| Student Leadership and Campus Life<br>Harvin Student Center, Heritage Campus, Room 105<br>www.delmar.edu/leadership_campus_life | (361) 698-1279        |
| Vice President for Student Affairs MUSB, Heritage Campus, Room 312 www.delmar.edu/offices/student-affairs                       | (361) 698-2250        |
| Student Veteran Services<br>Harvin Student Center, Heritage Campus, Room 271<br>www.delmar.edu/veteran                          | (361) 698-1250        |
| Campus Security Emergency Non-emergency   | 911<br>(361) 698-1946 |

#### **Title IX Coordinators**

Tammy McDonald Vice President of Administration and Human Resources Heldenfels Administration Bldg., Heritage Campus, Room 111 (361) 698-2177

tmcdonal1@delmar.edu

#### Deputy Title IX Coordinator (Faculty, Staff, Vendors or Visitors)

Jerry W. Henry Executive Director of Human Resources Heldenfels Administration Bldg., Heritage Campus, Room 101 (361) 698-1088

jhenry12@delmar.edu

#### Deputy Title IX Coordinator (Students)

Rita Hernandez
Dean of Student Engagement and Retention
Harvin Student Center, Heritage Campus, Room 204
(361) 698-1277
rhernandez18@delmar.edu

#### Community Resources

City of Corpus Christi Police Department

Emergency 911

Non-Emergency (361) 886-2600

Nueces Center for Mental Health & Intellectual

Disabilities 24-Hour Crisis Line 1-888-767-4493

Mental Health Crisis Hotline 24-Hour Cal<mark>l or Te</mark>xt 988

#### **The Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education that participate in the federal student financial aid program to make known crimes occurring on their campus and in the surrounding community. The U.S. Department of Education enforces the Clery Act, and institutions that fail to comply are penalized with hefty fines and may be suspended from participating in federal financial aid programs.

The Clery Act was signed in 1990 and is named after Jeanne Clery. She was a student who was raped and murdered in a residence hall at Lehigh University in 1986. Clery's parents lobbied Congress to enact the law so that parents, students and faculty know about crimes on campus.

#### Compliance with the Clery Act

The Clery Act requires Del Mar College (DMC) to provide timely warnings of crimes that represent a threat to the safety of students and employees. The campus security policies are made available to the public on the DMC website. The act requires DMC to collect, report, and make the Annual Security and Safety Report available to everyone on campus as well as to the Department of Education.

To be in full compliance, DMC must do the following:

- Publish and distribute the Annual Security and Safety Report to current students, prospective students, and employees by October 1 of each year. The report must include crime statistics for the past three years, campus policies about safety and security measures, campus crime prevention programs, and list procedures to be followed in the investigation of alleged sex offenses.
- Provide students and employees with timely warnings of crimes that represent a threat to their safety.
- DMC Security must keep and make available a crime log of all crimes reported to them in the past 60 days.

In addition to the items above, the Annual Security and Safety Report addresses the Violence Against Women Act (VAWA) amendments to the Clery Act. VAWA expanded the rights afforded to campus survivors of sexual assault, domestic violence, dating violence, and stalking.

The safety and security of all members of the College community are paramount issues of concern.

The pages in the report contain detailed information regarding crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures, and other areas of security and safety on campus. This report also contains information about campus crime statistics.

Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. The report is available at <a href="https://www.delmar.edu/Disclosure.aspx">www.delmar.edu/Disclosure.aspx</a>. Every member of DMC receives an email that describes the report and provides its website address. For more information or to request a paper copy of this report, contact the Dean of Student Engagement and Retention at (361) 698-1277.

#### **Preparing the Annual Disclosure of Crime Statistics**

The College coordinates the collection and reporting of crime statistics as specified in the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). Each year, the institution notifies all enrolled students and employees, via email, that they can view the report at <a href="https://www.delmar.edu/Disclosure.gspx">www.delmar.edu/Disclosure.gspx</a>.

Prospective employees and students are notified about the availability and location of the report via the online employee and student application process. This report is prepared in cooperation with DMC security, the office of Environmental Health and Safety, local law enforcement agencies, and the office of Student Affairs. Each entity provides current information about its Safety and Security Educational efforts and programs. DMC does allow individuals to report crimes on a confidential, voluntary basis for inclusion in the annual disclosure of crime statistics.

"Campus Security Authority" (CSA) means an individual with responsibility for campus safety and security. This includes campus security, individuals who are responsible for monitoring buildings or college grounds or with similar security responsibilities who are not part of campus security, individuals or organizations specifically identified to receive reports of criminal offenses and college officials, including all deans, directors, department chairs, student conduct officers, advisors to student organizations and human resources.

Reports of criminal activity given to CSAs and reports of crimes made to local law enforcement agencies are collected and included in the Annual Security and Safety Report as required by the Clery Act.

#### **Campus Security and Crime Awareness**

Through the teamwork of the College and campus community, DMC consistently strives to be among the safest large community college campuses in Texas. We work to achieve this by developing a partnership with students, administrators, faculty, and staff. With a campus population of more than 12,000, DMC campus reflects the communities it serves and is not immune to societal problems.

Preventing or reducing crime in any community is a tough task. Success in crime prevention and safety at DMC depends largely on the education and participation of the campus community. The campus community is provided information about safety programs and services, but individuals should be advised that they are responsible for their own security and safety.

The College must publish this annual report concerning campus security and crime statistics to comply with the Clery Act. The report includes information for reporting crimes, important college policies, and procedures.

It is the policy of DMC to provide an environment conducive to an educational mission; thus, any conduct that is prohibited by state, federal or local law is subject to discipline under the provisions of policies stated in the *Del Mar College Policy Manual and Student Handbook* as appropriate. The College monitors and reports to law enforcement agencies illegal conduct of students, faculty or staff on College premises or off- campus locations. In addition, College officials may refer any evidence of illegal activities to the proper local, state or federal authorities for review and potential prosecution.

#### **Campus Security and Law Enforcement Authority**

DMC has a contract with a licensed security company to provide commissioned security guards who provide services 24 hours a day, 7 days a week.

DMC employs off-duty Corpus Christi Police Department (CCPD) police officers who are trained and certified under the guidelines of the State of Texas. Officers are sworn with the full powers of arrest and mandated to enforce all applicable federal and state laws as well as local ordinances. Reports of offenses occurring on campus are generally investigated by the off-duty CCPD officers and forwarded to the police department for any follow-up investigation. DMC also maintains formal and informal liaisons with various local, state, and federal law enforcement agencies in support of campus security and safety efforts.

#### **Accurate and Timely Reporting of Criminal Offenses**

DMC community members are encouraged to accurately and promptly report all crimes to DMC Security and local police agencies. Reporting of criminal offenses aids the College in informing the community when necessary and assists in the accurate reporting of crimes statistics. Any alleged criminal actions (including sex offenses) involving DMC students or employees that occur on or off campus can be reported in any of the following ways:

#### For Emergencies

Dial 911

#### For Non-Emergencies

- Call DMC Security at (361) 698-1946
- Request that any campus official assist with reporting the event.
- TTY callers: (800) RELAY TX

#### **Timely Warnings**

DMC provides timely warning to the campus community when a crime is reported to have occurred on DMC's property and is considered to represent a serious or continuing threat to students or employees.

The College will distribute timely warning announcements when there appears to be a threat to the safety and security of persons on campus for the following crimes:

- Aggravated assault
- Arson
- Burglary
- Negligent manslaughter
- Motor vehicle theft
- Murder/Non-negligent manslaughter
- Robbery
- Sex offenses
- Domestic violence/ dating violence/ stalking
- Violations of liquor laws, drug law or weapons possession law
- Any crimes where victim was based solely on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin

Decisions concerning whether to issue a timely warning will be made on a case-by-case basis using the following criteria:

- Nature of the crime
- Danger and continuing danger to the campus
- Risk of compromising law enforcement efforts

Criminal reports are considered on a case-by-case basis, depending on the facts and the information known by campus security. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other DMC community members and a timely warning may not be distributed. Cases involving sexual assault are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. The DMC Chief of Police or designee reviews all reports to determine if there is an on-going threat to the community and if the distribution of a timely warning is warranted. Timely warnings may also be posted for other crime classifications and locations, as deemed necessary. These crimes are normally reported directly to campus security. However, sometimes they are reported to a local law enforcement agencies or Campus Security Authorities (CSAs). Campus security has requested CSAs notify campus security about crimes reported to them that may require a timely warning.

Timely warnings are primarily distributed through the College's email system but may also be posted on campus bulletin boards or other appropriate locations and sent to campus and local newspapers.

Timely warning notices are usually written by the Chief of Police or designee and distributed by the College Relations Office. Warnings will contain information about the nature of the threat and allow members of the community to take protective action.

#### **Emergency Response and Evacuation/Closing Procedures on Campus**

DMC regularly develops and updates plans and procedures for emergency response and evacuation for the campus community.

Possible emergencies that may occur include, but are not limited to, the following:

- Bomb threat
- Campus violence
- Civil unrest
- Explosion
- Fire (localized building fire or wildfire)
- Gas leak
- Hazardous material spill
- Public health crisis
- Severe weather
- Terrorist incident

Environmental Health and Safety Office (EHSO) is responsible for conducting tests of emergency response and evacuation procedures on an annual basis through a variety of drills and exercises designed to assess and evaluate emergency plans and capabilities. Emergency notification systems are tested at least once annually. Exercises may include tabletop, functional, full-scale or any combination thereof. Tests may be announced or unannounced in advance to the campus community. Each test is documented, including a description of the test, the date and time, and whether it was announced or unannounced.

Various campus units, including EHSO and Security, utilize outreach programs to train and educate the campus community, providing the knowledge needed to respond appropriately to various types of hazards.

#### **Emergency Notification System**

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the life, safety or security of the campus community, DMC will determine the content of emergency notification messages and initiate the notification system, unless issuing a notification compromises efforts to assist a victim or the response to the emergency.

The following campus officials have been designated to serve as authorized officials who are empowered to approve the content and issuance of emergency notifications:

- President/CEO or designee
- Executive Vice President and Chief Operating Officer or designee
- Vice President of Administration and Human Resources or designee
- Chief of Police or designee
- Vice President for Student Affairs or designee
- Director of Environmental Health and Safety Office or designee
- Vice President of Communication and Marketing or designee

When an authorized official receives a report of an imminent or occurring situation that poses an immediate threat to life, safety or security on campus, the official will confirm the report.

Depending on the situation, confirmation may be achieved through one or more of the following sources:

- Investigation by campus security, including off-duty CCPD officers
- Investigation by another DMC campus unit, including but not limited to, the Director of Environmental Health and Safety, Vice President for Student Affairs, and Director of Physical Facilities
- Investigation by City of Corpus Christi Fire Department and/or Police Department
- Nueces County Emergency Services and/or Health Department
- Texas Department of State Health Services
- Media reports originating from the incident scene

The authorized official will determine, consulting with other campus officials as appropriate, how much information is appropriate to disseminate at different points in time. This determination will be based on the following:

- Nature of incident or threat
- Segment to be notified
- Location of the incident or threat

Depending on the circumstances, DMC may send emergency notification messages to the entire campus community or only a segment of the population. If a confirmed emergency situation appears likely to affect a limited segment of the campus community, emergency notification messages may be limited to that group. If the potential exists for a very large segment of the campus community to be affected by a situation or when a situation threatens the operation of the campus as a whole, then the entire campus will be notified.

In any case, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action. The authorized official will, considering the nature of the threat and the population to be notified, choose the appropriate communication tool(s) to utilize.

DMC has at its disposal a number of tools that may be used to disseminate emergency notifications to the campus community. Emergency notification will typically be sent through:

- DMCAlert! (Powered by Rave Mobile Safety)
- Email
- Information posted on the DMC website and/or social media
- Additional notification methods may include:
  - · Fire alarms
  - Public address systems
  - Posted advisory messages
  - · Emergency responder announcements

The nature of the emergency will determine the types and extent of the notification. The authorized official will approve the issuance of notification and contact College Relations which will issue the notification message as soon as possible. The authorized official will notify Administration.

#### **Security Awareness and Crime Prevention**

#### Security/Safety Awareness

Del Mar College is concerned about the safety and security of all students, faculty, staff, and visitors to our campuses. Throughout the year, the Security Office, along with the Environmental Health and Safety Office, provides training for individuals on various security and safety issues.

#### The trainings include:

- Active Shooter (available online)
- CRASE (Civilian Response to Active Shooter Events)
- Campus Threat (online video)
- New Student Orientation
- Blood Borne Pathogens
- Hazard Communication (online)
- Fire Alarm and Portable Fire Extinguisher
- Back Safety and Injury Prevention
- Other specialized training

The Campus Security Office and the Environmental Health and Safety Office provide general safety and security information to the College community. These offices collaborate with local authorities and the College's Incident Management Team to send out mass notification announcements regarding potential campus threats, severe weather conditions, and public health issues affecting the Del Mar College community.

#### Title IX Events on Campus 2022

#### **Prevention and Awareness Activities**

#### January:

- Welcome Back to Campus East and West 1/18, 19, 20 traveled around campuses with wagon passing out campus maps, welcome back goody boxes, snacks/water, Foghorn orientation issue which has information about Title IX and Campus Resources
- Online Orientation- Title IX presentation video

#### February:

• First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.

#### March:

- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- Share the Love Windward tables with safe sex information and healthy relationship tips
- Valdar's Share the Love Party Heritage tables with safe sex information and healthy relationship tips
- Online Orientation- Title IX presentation video
- Spring Break Bash 3/8-9 Heritage/Windward tables with safe sex information and healthy relationship tips
- Representative from Women's and Men's Health Clinic, Coastal Bend Wellness, YCCC Coalition safe and sober Spring Break
- Online Orientation- Title IX presentation video

#### April:

- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- Denim Day: Campus event to promote sexual assault awareness, education, prevention, and resources.
- Sexual Assault Awareness and Prevention Month social media campaign: Provided information on statistics, consent, campus resources, and community resources throughout the month.
- Narcan Training
- Safe Zone Training
- Stress Solution Bingo

- Alcohol Awareness Bingo
- Online Orientation- Title IX presentation video

#### May:

- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- Online Orientation- Title IX presentation video

#### June:

- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- Online Orientation- Title IX presentation video

#### July:

- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- Online Orientation- Title IX presentation video

#### August:

- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- Welcome Back to Campus Heritage and Windward traveled around campuses with wagon passing out campus maps, welcome back goody boxes, snacks/water, Foghorn orientation issue which has information about Title IX and Campus Resources

#### September:

- QPR Suicide Prevention Training: Question. Persuade. Refer. Learn how to help someone who may be suicidal, how to recognize warning signs, risk factors, common causes of suicidal behavior, and how to have the conversation to get people connected to helpful resources.
- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- 8th Annual Suicide Prevention Symposium: Counseling Center collaboration with the Suicide Prevention Coalition of the Coastal Bend to provide a two-day suicide prevention event to community members and professionals.
- Title IX Training: Training provided to Physical Therapy Assistant program.
- Civility 9/12- Civility is defined primarily as the demonstration of respect for others, basic courtesy, reciprocity (treating others as we wish to be treated), and behaviors that create a positive environment in which to learn and work. Virtual through Canvas Page
- Campus Safety 12-16 provide students with DMC policies pertaining to safety, Title IX, alcohol and drugs, how to stay safe on and off campus and how to report under emergency and nonemergency
- Alcohol Awareness Bingo 9/22
- RSO Club Workshops 9/26-30 Clubs are required to undergo a risk management strategies session in every club workshop that covers possession and use of alcohol and drugs, hazing, sexual abuse and harassment, and behavior at student organization events. Virtual through TEAMS meetings.
- Online Orientation Title IX presentation video

#### October:

- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- Spooktacular Mental Health & Resource Fair: Counseling Center collaboration with community agencies and campus support resources providing information regarding topics such as personal safety, mental health, physical and sexual health, drugs and alcohol, and basic needs.
- Title IX for Faculty & Staff
- RSO Club Workshops 10/3-28 Clubs are required to undergo a risk management strategies session in every club workshop that covers Possession and use of alcohol and drugs, hazing, sexual abuse and harassment, and behavior at student organization events. Virtual through TEAMS meetings.
- Domestic Violence/Title IX with Dr. Shuey, No means No
- Online Orientation- Title IX presentation video

#### November:

• First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.

- Brownies & Boundaries Workshop: Helping students gain boundaries for healthy relationships, interpersonal communication, and civility.
- Brownies & Boundaries Workshop: Helping students gain boundaries for healthy relationships, interpersonal communication, and civility.
- Title IX for Faculty & Staff
- Online Orientation- Title IX presentation video

#### December:

- First Friday Suicide Prevention Training: Discuss student mental health, suicide risk factors, & warning signs. Learn how to respond to someone in a crisis & refer them to help.
- Online Orientation- Title IX presentation video

# Women's and Men's Health Services of the Coastal Bend Monthly information table and STI testing

Education is a primary component and risk prevention for people of all ages Women's & Men's Health Services of the Coastal Bend (WAMHS) believes that collaboration is the best way to reach the broadest scope of people with important health information. Trained WAMHS community health educators are invited to speak to wide range of audiences as well provide outreach on clinic services and other health issues. The topics we are asked to cover fall along a broad spectrum that includes various aspects of human development, relationships, personal skills, sexual behavior, and reproductive health.

#### **Alcohol and Drug Abuse YCCC Coalition**

The Council on Alcohol and Drug Abuse YCCC Coalition (Youth Continuum of Care Coalition): Monthly Meeting January - December 2022 held to discuss underage drinking in 15-20 years of age. Supported by events and activities at Del Mar College, TAMUCC, surrounding High Schools and Community Events. Safe and Sober events to provide awareness and reduce underage drinking and drunk driving as well as Opioid Awareness. Current drug trends are a reduction in synthetic cannabis. Increase in counterfeit pills and a continuation of THC in vaping devices. How the use of alcohol and drug abuse affect healthy relationships, sexual misconduct and violence, anger management, anxiety, alcohol and the brain, dealing with peer pressure. No means No. etc. All events are free and open to 15-20 years of age and parents.

# **Crime Stoppers**

Anyone with information on criminal activity can call (361) 888-TIPS (8477) and may receive a cash award if the tip leads to the arrest and indictment of the criminal offender. The cash award comes from the Corpus Christi Crime Stoppers, a non-profit organization. Callers may remain anonymous when reporting crime tips. Students and employees are urged to use this reporting option when anonymity is a primary concern.

If an individual does not want to report a crime to the police, the individual may also report crimes to a designated Campus Security Authority (CSA). These designated individuals have significant responsibility for student and campus activities, and as such are provided notice by DMC as to the extent of their responsibility and how to report crimes to DMC.

# **Security Services**

Campus security is responsible for ensuring all exterior doors at DMC facilities are secured after hours.

# Electronic Alarm Security

DMC has a contract with an off-site monitoring company for fire and security alarms.

# **Environmental Health and Safety**

The Environmental Health and Safety Office (EHSO) establishes, implements and maintains comprehensive environmental health, safety, emergency and fire prevention and training programs for the College. This is accomplished in three ways. First, the EHSO inspects facilities, operations, equipment, and work areas to ensure safe working conditions. Second, the EHSO prepares and maintains emergency preparedness plans and training. Finally, the office ensures compliance with federal, state, and local laws and safety regulations.

# **Fire Safety**

The EHSO conducts safety inspections of facilities and enforces fire safety regulations on DMC property. This includes inspecting College property and facilities for fire hazards, code violations, and the adequacy of fire protection systems and equipment. The EHSO also provides periodic training on the proper use of fire extinguishers and conducts campus fire drills specifically for on-campus childcare facilities. Firefighting services are provided 24 hours a day by the Corpus Christi Fire Department.

The Higher Education Act fire safety regulations apply only to institutions with on-campus student housing facilities. Because DMC does not provide on-campus student housing facilities, the Higher Education Act requirement to maintain fire statistics and a daily fire log does not apply.

# Fire Statistics and Fire Safety

Reporting Procedures

In the event of a fire:

- Dial 911
- Provide location, and cause of the fire, if known
- Report any injuries, if known

All fires, no matter how small, must be reported regardless of emergency response. Please contact DMC Security at 698-1946 to report the fire and any possible property damage.

Firefighting services for the college locations are provided by the Corpus Christi Fire Department. The EHSO is responsible for the management, contractor supervision, service, inspection, and testing of the fire sprinkler systems, special hazard systems, kitchen suppression systems, and fire extinguishers for all College-owned facilities.

Fire alarm systems are inspected and maintained by EHSO and contract personnel. Fire alarm systems are monitored 24/7 by a third ( $3^{rd}$ ) party monitoring company that is UL listed.

EHSO conducts life safety inspections of facilities and enforces city and state fire safety regulations in all college-owned facilities.

## False Alarm or Report

Texas Penal Code Section 42.06 provides that "a person commits an offense if he knowingly initiates, communicates or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he knows is false or baseless." A false report made to a college or university is a state jail felony.

## 2022 Fire Log

EHSO maintains a fire log which details any fires that occurred on campus. The following is a summary of fire occurrences at DMC locations:

| Location                              | Date | Fire(s) | Cause<br>of Fire | # Injuries<br>that Required<br>Treatment @<br>Medical Facility | # of<br>Deaths<br>Related<br>to a Fire | Value of<br>Property<br>Damage Caused<br>by Fire |
|---------------------------------------|------|---------|------------------|--|--|--|
| East Campus                           | N/A  | 0       | N/A              | 0  | 0                                      | 0  |
| West Campus                           | N/A  | 0       | N/A              | 0  | 0                                      | 0  |
| Center for<br>Economic<br>Development | N/A  | О       | N/A              | 0  | 0                                      | 0  |
| Northwest Center                      | N/A  | 0       | N/A              | 0  | 0                                      | 0  |
| DMC CCIA<br>Airport Hangar            | N/A  | 0       | N/A              | 0  | 0                                      | 0  |

# 2022 Fire Safety Education and Drills

The following is a summary of monthly fire drills conducted at DMC locations:

# Collegiate High School

The Collegiate High School (CHS) located on Del Mar College Heritage Campus performs fire evacuation drills and other drills according to Corpus Christi Independent School District standards. Records are maintained in the CHS Administrative Office.

## Residential Facilities

Federal law requires colleges having residential facilities to report fire related statistics.

DMC **does not** have residential facilities and therefore does not meet this reporting requirement.

# Center for Early Learning

| Date       | Description                             | Announced /<br>Unannounced | Time     |
|------------|---|----------------------------|----------|
| 01/31/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 3:45 PM  |
| 02/23/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 9:00 AM  |
| 03/30/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 10:30 AM |
| 04/27/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 4:00 PM  |
| 05/25/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 7:40 AM  |
| 06/28/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 3:20 PM  |
| 07/28/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 9:00 AM  |
| 08/30/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 9:30 AM  |
| 09/26/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 10:00 AM |
| 10/26/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 3:15 PM  |
| 11/28/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 4:00 PM  |
| 12/09/2022 | Fire Drill / CO and Smoke Detector Test | Unannounced                | 8:55 AM  |

# Fire Related Policies, Procedures and Programs

DMC EHSO is responsible for managing programs to enhance the safety of the campus community while also maintaining compliance with applicable fire and life safety codes. These programs include:

- Conducting fire and life safety inspections of college buildings.
- Assessing campus events to identify risks, implement control measures, mitigate potential injury to personnel, and protect property.
- Inspecting fire detection and fire suppression systems in buildings throughout the college campus to reduce the potential for fire loss.
- Correcting unsafe conditions or deficiencies to eliminate hazards that pose a risk to the campus community.

# Fire Safety: General Fire Safety Standards

- Where allowed, small Personal Heaters must be approved by DMC EHSO.
- Extension cords are only for temporary use.
- Multi-outlet surge protectors with in-line fuse, circuit breaker or overload protection must be used when needed.
- Do not run electrical cords under rugs, over nails or in high traffic areas.
- Do not staple electrical cords to walls or otherwise pierce the cord.
- Keep flammable objects away from heat producing items such as coffee makers.
- Place rugs in a location that does not hinder the opening and closing of doors.
- Do not hang objects from sprinkler heads.
- Do not tamper with or disable smoke detectors.
- Do not store or stack items within 18 inches of sprinkler heads.
- Do not cover more than 20 percent of office/classroom with paper or other decorative items.

## Fire Equipment

Fire and safety equipment must function properly when it is needed; therefore, the following acts are prohibited:

- Tampering or playing with fire extinguishers, smoke detectors, exit lights or emergency lights;
- Tampering with or pulling a fire alarm under false pretenses;

- Blocking fire alarm pull station with trashcans, furniture, signs and/or other items;
- Removing or rendering a smoke detector inoperative;
- Propping open stairwell fire doors or tampering with corridor fire doors (fire doors inhibit the travel of smoke, toxic gases, heat and fire from the area of origin); and
- Obstructing halls and stairwells with furniture, debris and/or other items.

# Appliances

Electrical appliances must be used and maintained in accordance with manufacturer's specifications in safe working conditions and should require no more than 1000 watts.

# Open Flames

Individuals may not ignite any substance inside classrooms or offices at any time unless it is required and in laboratory setting. This includes but is not limited to decorative candles and incense. Heated elements that could be left unattended for long periods of time and which require heat to release scent are prohibited.

# **Smoking**

Individuals may not ignite any substance, including cigarettes, e-cigarettes (vaping), cigars, pipes or hookahs, on the DMC campus. DMC is a smoke-free campus.

# DMC Policy B5.39 Smoke & Tobacco Free Environment

**B5.39.1 Purpose:** In order to protect and promote the health, safety, and welfare of employees, students, and the public, Del Mar College will provide a smoke and tobacco free environment.

**A5.39.2 Scope:** The College District prohibits the use of tobacco, E-cigarettes, vaping pens and any other related products and devices by any employee, student, or visitor on all premises owned, rented, leased, or supervised by the College District, including all College District facilities, buildings, and grounds. This prohibition applies to property owned by others that the College District uses by agreement, and further applies to all District vehicles.

**A5.39.2.1:** Exceptions to this total prohibition shall be:

- In those circumstances where the College District is party to a contract or other agreement relating to the property that limits its authority in this matter.
- All research projects, artistic productions or other College sponsored activities involving the act of smoking must have prior approval from the Office of the Chief Academic Officer (CAO).

# Explosives/flammable fluids

The unauthorized possession of explosives, fireworks, flammable materials or pyrotechnics of any nature is prohibited on College premises.

# Safety Education and Training Programs

DMC EHSO provides annual fire safety training to Restaurant Management/Culinary Arts and Process Technology students covering procedures and the operation of fire extinguishers and fire alarm systems. EHSO also provides fire extinguisher and fire alarm systems training to Physical Facilities, Campus Dining, and other faculty and staff.

# Clery Act Statistics - Heritage Campus 2020-2022

|                                       |        | 2020                       |                    |       |        | 202                        | 21                 |       |        | 202                        | 22                 |       |
|---------------------------------------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|
|                                       |        | Non-                       | Public             |       |        | Non-                       | Public             |       |        | Non-                       | Public             |       |
| Primary Crimes                        | Campus | Campus<br>Property         | Property           | Total | Campus | Campus<br>Property         | Property           | Total | Campus | Campus<br>Property         | Property           | Total |
| Murder/ Non-negligent<br>manslaughter | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Negligent manslaughter                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Rape                                  | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Fondling                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Incest                                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Statutory Rape                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Robbery                               | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 1                  | 1     |
| Aggravated Assault                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Burglary                              | 1      | 0                          | 0                  | 1     | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     |
| Motor Vehicle Theft                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Arson                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 1      | 0                          | 0                  | 1     | 0      | 0                          | 0                  | 0     | 1      | 0                          | 1                  | 2     |
| Arrests                               | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Weapons Violations                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Drug Law Violations                   | 0      | 0                          | 0                  | 0     | 2      | 0                          | 0                  | 2     | 0      | 0                          | 0                  | 0     |
| Liquor Law Violations                 | 1      | 0                          | 0                  | 1     | 1      | 0                          | 0                  | 1     | 1      | 0                          | 1                  | 2     |
| Total                                 | 1      | 0                          | 0                  | 1     | 3      | 0                          | 0                  | 3     | 1      | 0                          | 1                  | 2     |
| Disciplinary Actions                  | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Weapons Violations                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     |
| Drug Law Violations                   | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     | 0      | 0                          | 0                  | 0     |
| Liquor Law Violations                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     | 1      | 0                          | 0                  | 1     |
| Bias Crimes                           | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Primary Crimes                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Larceny Theft                         | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Simple Assault                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Intimidation                          | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Destruction Damage                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Other Bodily Injury                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| VAWA Crimes                           | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Dating Violence                       | 0      | O                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Domestic Violence                     | 1      | 0                          | 0                  | 1     | 0      | 0                          | 1                  | 1     | 0      | 0                          | 0                  | 0     |
| Stalking                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 1      | 0                          | 0                  | 1     | 0      | 0                          | 1                  | 1     | 0      | 0                          | 0                  | 0     |

Unfounded Reports: None

# **Clery Act Statistics - Windward Campus 2020-2022**

|                                    |        | 2020                       |                    |       |        | 202                        | 1                  |       | 2022   |                            |                    |       |  |
|------------------------------------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|--|
| Primary Crimes                     | Campus | Non-<br>Campus             | Public<br>Property | Total | Campus | Non-<br>Campus             | Public<br>Property | Total | Campus | Non-<br>Campus             | Public<br>Property | Total |  |
| Murder/ Non-negligent manslaughter | O      | Property<br>O              | 0                  | 0     | O O    | Property<br>0              | 0                  | 0     | O O    | Property<br>0              | 0                  | 0     |  |
| Negligent manslaughter             | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Rape                               | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Fondling                           | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     | 0      | 0                          | 0                  | 0     |  |
| Incest                             | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Statutory Rape                     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Robbery                            | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Aggravated Assault                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Burglary                           | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     |  |
| Motor Vehicle Theft                | 1      | 0                          | 0                  | 1     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Arson                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Total                              | 1      | 0                          | 0                  | 1     | 1      | 0                          | 0                  | 1     | 1      | 0                          | 0                  | 1     |  |
| Arrests                            | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |  |
| Weapons Violations                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Drug Law Violations                | 2      | 0                          | 0                  | 2     | 1      | 0                          | 0                  | 1     | 1      | 0                          | 0                  | 1     |  |
| Liquor Law Violations              | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     | 0      | 0                          | 0                  | 0     |  |
| Total                              | 2      | 0                          | 0                  | 2     | 2      | 0                          | 0                  | 2     | 1      | 0                          | 0                  | 1     |  |
| Disciplinary<br>Actions            | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |  |
| Weapons Violations                 | 1      | O                          | 0                  | 1     | 0      | O                          | 0                  | 0     | 0      | O                          | 0                  | 0     |  |
| Drug Law Violations                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Liquor Law Violations              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Total                              | 1      | 0                          | 0                  | 1     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Bias Crimes                        | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property |       | Campus | Non-<br>Campus<br>Property | Public<br>Property |       |  |
| Primary Crimes                     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Larceny Theft                      | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Simple Assault                     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Intimidation                       | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Destruction Damage                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Other Bodily Injury                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Total                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| VAWA Crimes                        | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |  |
| 1                                  |        | 11000.0                    |                    |       |        |                            | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
| Dating Violence                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 10                 | U     | 10     | U                          |                    |       |  |
| Dating Violence  Domestic Violence | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |  |
|                                    |        |                            | 1                  |       |        |                            |                    |       |        |                            |                    |       |  |

# Clery Act Statistics – Oso Creek Campus 2020-2022

|                        |        | 2020                       | C                  |       |        | 202                        | 21                 |       | 2022   |                            |                    |          |  |
|------------------------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|----------|--|
| Primary Crimes         |        | Non-<br>Campus             | Public<br>Property | Total |        | Non-<br>Campus             | Public<br>Property | Total |        | Non-<br>Campus             | Public<br>Property | Total    |  |
| Murder/ Non-negligent  | Campus | Property                   | Floperty           | Total | Campus | Property                   | Froperty           | Total | Campus | Property<br>0              | 0                  | 0        |  |
| manslaughter           |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | <u> </u> |  |
| Negligent manslaughter |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Rape                   |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Fondling               |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Incest                 |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Statutory Rape         |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Robbery                |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Aggravated Assault     |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Burglary               |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Motor Vehicle Theft    |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Arson                  |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Total                  |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Arrests                | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total    |  |
| Weapons Violations     |        | Floperty                   |                    |       |        | FIODELLA                   |                    |       | 0      | O                          | 0                  | 0        |  |
| Drug Law Violations    |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Liquor Law Violations  |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Total                  |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Disciplinary           |        | Non-                       | Public             |       |        | Non-                       | Public             |       |        | Non-                       | Public             |          |  |
| Actions                | Campus | Campus<br>Property         | Property           | Total | Campus | Campus<br>Property         |                    | Total | Campus | Campus<br>Property         | Property           | Total    |  |
| Weapons Violations     |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Drug Law Violations    |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Liquor Law Violations  |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Total                  |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
|                        |        | Non-                       | Public             |       |        | Non-                       | Public             |       |        | Non-                       | Public             |          |  |
| Bias Crimes            | Campus | Campus<br>Property         | Property           | Total | Campus | Campus<br>Property         | Property           | Total | Campus | Campus<br>Property         | Property           | Total    |  |
| Primary Crimes         |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Larceny Theft          |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Simple Assault         | _      |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Intimidation           |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Destruction Damage     |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Other Bodily Injury    |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| Total                  |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| VAWA Crimes            | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total    |  |
| Dating Violence        |        | Property                   | rioperty           |       |        | Property                   | гторенцу           |       | 0      | O                          | O                  | 0        |  |
| Domestic Violence      |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |
| _ 3,1,000,0 ¥10101100  |        |                            |                    |       |        |                            |                    |       |        |                            |                    |          |  |
| Stalking               |        |                            |                    |       |        |                            |                    |       | 0      | 0                          | 0                  | 0        |  |

# **Clery Act Statistics – Center for Economic Development 2020-2022**

|                                       |        | 2020                       |                    |       |        | 202                        | 21                 | 2022  |        |                            |                    |       |
|---------------------------------------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|
| Primary Crimes                        | Campus | Non-<br>Campus             | Public<br>Property | Total | Campus | Non-<br>Campus             | Public<br>Property | Total | Campus | Non-<br>Campus             | Public<br>Property | Total |
| Murder/ Non-negligent<br>manslaughter | 0      | Property<br>0              | 0                  | 0     | 0      | Property<br>O              | 0                  | 0     | 0      | Property<br>0              | 0                  | 0     |
| Negligent manslaughter                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Rape                                  | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Fondling                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Incest                                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Statutory Rape                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Robbery                               | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Aggravated Assault                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Burglary                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     |
| Motor Vehicle Theft                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Arson                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 1      | 0                          | 0                  | 1     |
| Arrests                               | Campus | Non-<br>Campus             | Public<br>Property | Total | Campus | Non-<br>Campus             | Public<br>Property |       |        | Non-<br>Campus             | Public<br>Property |       |
| Weapons Violations                    | 0      | Property<br>O              | 0                  | 0     | 0      | Property<br>O              | 0                  | 0     | 0      | Property<br>0              | 0                  | 0     |
| Drug Law Violations                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Liquor Law Violations                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Disciplinary                          |        | Non-                       |                    |       |        | Non-                       |                    |       |        | Non-                       |                    |       |
| Actions                               | Campus | Campus<br>Property         | Public<br>Property | Total | Campus | Campus<br>Property         | Public<br>Property | Total | Campus | Campus<br>Property         | Public<br>Property | Total |
| Weapons Violations                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Drug Law Violations                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Liquor Law Violations                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Bias Crimes                           | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Primary Crimes                        | 0      | O                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | O                          | 0                  | o     |
| Larceny Theft                         | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | o     |
| Simple Assault                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Intimidation                          | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Destruction Damage                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Other Bodily Injury                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| VAWA Crimes                           | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Dating Violence                       | 0      | O                          | 0                  | 0     | 0      | O                          | 0                  | 0     | 0      | O                          | 0                  | 0     |
| Domestic Violence                     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Stalking                              | 1      | 0                          | 0                  | 1     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Staiking                              | 1 '    | _                          | 0                  |       | ~      | 0                          | 0                  | •     | 0      |                            | -                  |       |

# **Clery Act Statistics – Northwest Center 2020-2022**

|                                       |        | 2020                       |                    |       |        | 2021                       |                    | 2022  |          |                            |                    |       |
|---------------------------------------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|----------|----------------------------|--------------------|-------|
| 5.                                    |        | Non-<br>Campus             | Public             |       |        | Non-<br>Campus             | Public             |       |          | Non-<br>Campus             | Public             |       |
| Primary Crimes                        | Campus | Property                   | Property           | Total | Campus | Property                   | Property           |       | Carripus | Property                   | Property           |       |
| Murder/ Non-negligent<br>manslaughter | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Negligent manslaughter                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Rape                                  | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Fondling                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Incest                                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Statutory Rape                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Robbery                               | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Aggravated Assault                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Burglary                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 1                  | 1     |
| Motor Vehicle Theft                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Arson                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 1                  | 1     |
| Arrests                               | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus   | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Weapons Violations                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Drug Law Violations                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 1                  | 1     |
| Liquor Law Violations                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 1                  | 1     |
| Disciplinary                          |        | Non-<br>Campus             | Public             |       |        | Non-                       | Public             |       |          | Non-<br>Campus             | Public             |       |
| Actions                               | Campus | Property                   | Property           | Total | Campus | Campus<br>Property         | Property           | Total | Campus   | Property Property          | Property           | Total |
| Weapons Violations                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Drug Law Violations                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Liquor Law Violations                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Bias Crimes                           | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus   | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Primary Crimes                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Larceny Theft                         | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Simple Assault                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Intimidation                          | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Destruction Damage                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Other Bodily Injury                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| VAWA Crimes                           | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus   | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Dating Violence                       | 0      | 0                          | 0                  | 0     | 0      | О                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Domestic Violence                     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |
| Domestic violence                     | _      | _                          | _                  |       |        |                            |                    |       |          |                            |                    |       |
| Stalking Stalking                     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0        | 0                          | 0                  | 0     |

# **Clery Act Statistics – Aviation at CCIA 2020-2022**

|                                       |        | 2020                       | )                  |       |        | 2021                       |                    | 2022  |        |                            |                    |       |
|---------------------------------------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|--------|----------------------------|--------------------|-------|
|                                       |        | Non-                       | Public             |       |        | Non-                       | Public             |       |        | Non-                       | Public             |       |
| Primary Crimes                        | Campus | Campus<br>Property         | Property           | Total | Campus | Campus<br>Property         | Property           | Total | Campus | Campus<br>Property         | Property           | Total |
| Murder/ Non-negligent<br>manslaughter | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Negligent manslaughter                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Rape                                  | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Fondling                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Incest                                | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Statutory Rape                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Robbery                               | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Aggravated Assault                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Burglary                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 1                  | 1     |
| Motor Vehicle Theft                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 5                  | 5     | 0      | 0                          | 5                  | 5     |
| Arson                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 5                  | 5     | 0      | 0                          | 6                  | 6     |
| Arrests                               | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Weapons Violations                    | 0      | O                          | 0                  | 0     | 0      | О                          | 5                  | 5     | 0      | 0                          | 1                  | 1     |
| Drug Law Violations                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 1                  | 1     |
| Liquor Law Violations                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 4                  | 4     | 0      | 0                          | 2                  | 2     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 9                  | 9     | 0      | 0                          | 4                  | 4     |
| Disciplinary                          |        | Non-<br>Campus             | Public             |       |        | Non-<br>Campus             | Public             |       |        | Non-<br>Campus             | Public<br>Property |       |
| Actions                               | Campus | Property                   | Property           | Total | Campus | Property<br>0              | Property           |       | Campus | Property                   |                    | Total |
| Weapons Violations                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Drug Law Violations                   | 0      | 0                          | 0                  | 0     | 0      | <u> </u>                   | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Liquor Law Violations                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0<br>Non-                  | 0                  | 0     | 0      | O<br>Non-                  | 0                  | 0     | 0      | O<br>Non-                  | 0                  | 0     |
| Bias Crimes                           | Campus | Campus<br>Property         | Public<br>Property | Total | Campus | Campus<br>Property         | Public<br>Property | Total | Campus | Campus<br>Property         | Public<br>Property | Total |
| Primary Crimes                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Larceny Theft                         | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Simple Assault                        | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Intimidation                          | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Destruction Damage                    | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Other Bodily Injury                   | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Total                                 | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| VAWA Crimes                           | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total | Campus | Non-<br>Campus<br>Property | Public<br>Property | Total |
| Dating Violence                       | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Domestic Violence                     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
| Stalking                              | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     | 0      | 0                          | 0                  | 0     |
|                                       | 1      |                            | 1                  |       |        |                            |                    |       | 1      |                            |                    |       |

Unfounded reports: None

# **Drug and Alcohol Policies**

Del Mar College is committed to working to maintain a safe, healthy, lawful, and productive working and educational environment for all employees and students. Studies have shown that use of illegal drugs and abuse of alcohol increases the potential for accidents, absenteeism, tardiness, unsatisfactory performance, inefficiency, poor employee morale, and damage to the College's reputation.

The intent of this policy is to make Del Mar College a better place to study and work through upgrading the mental and physical health of the total College community. It acknowledges the freedom of choice for those individuals who require or seek information relative to drug/alcohol abuse.

# Definition of Legal Drugs

A "legal drug" is a prescribed drug or over-the-counter drug which has been legally obtained and is being legally used for the purpose for which it was prescribed or manufactured.

# Definition of Illegal Drugs

An "illegal drug" is any drug or controlled substance which is (I) not legally obtainable or (2) is legally obtainable but was not legally obtained. The term "illegal drug" includes all illegal drugs, dangerous drugs and controlled substances defined and listed in Articles 4476-14 and 4476-15 (Texas Controlled Substances Act) Vernon's Texas Civil Statutes. Marijuana, hashish, cocaine, PCP, LSD, heroin, dilaudid, quaaludes, steroids and methamphetamine are only a few of the dangerous drugs or controlled substances which are included within such terms.

This policy applies to all students and employees of Del Mar College, as well as College visitors, contractors, and all other persons occupying space in/on conveyances, offices, buildings, facilities, or grounds over which Del Mar College has custody and control, including, but not limited to, rentals and leasing of auditorium and classroom spaces.

This policy does not cancel or supersede other laws, orders, instructions, or regulations which make the use, possession and/or distribution of dangerous drugs and controlled substances illegal.

When personal or behavioral problems begin to affect an employee's work or student's academic performance, and this appears to be the result of drug or alcohol abuse, the individual may be referred to the College Counseling Center for information on drugs/alcohol and/or to local community professionals. The student shall be responsible for any cost and/or fees incurred for professional services. Information concerning diagnosis, treatment, and medical records will be kept strictly confidential.

It is recognized that a person's job performance or academic studies may be affected by persons in the employee's or student's family who have alcohol, drug, or other emotional or behavioral problems. Therefore, the College will offer information services to these family members but accepts no further responsibility.

Use, distribution, or possession of alcoholic beverages, dangerous drugs, or controlled substances while on College property or at any authorized activity sponsored by or for any College-related organization, whether on or off campus, is subject to disciplinary action.

# **Services Offered**

Counseling Center (361) 698-1586

Disability Services (361) 698-1292

Dean of Student Engagement and Retention (361) 698-1277

# **Compliance with Policies and Laws**

Each DMC student should be familiar with all published College policies. DMC holds each student responsible for compliance with these published policies. A violation that occurs off campus during a college-sponsored program or activity may be treated the same as if it occurred on campus.

Students are also expected to comply with all federal, state, and local laws; any student who violates any provision of those laws is subject to disciplinary action in addition to any action taken by civil authorities because of the violation. This principle extends to conduct off campus that is likely to have an adverse effect on the College or the educational process.

All sanctions are cumulative. Students who have previous Code of Conduct violations, including alcohol policy violations, may receive increased sanctions. Sanctions may also be increased based on the severity of the behavior.

# **Title IV Consumer Information Disclosure**

# Drug and Alcohol Abuse Prevention/Policy

**B5.40 Policy on Drugs and Alcohol:** The purpose of this policy is to inform the Del Mar College Community of its intent to comply with the "Drug Free Schools and Communities Act of 1986" (PL 99-570).

**B5.40.1 General Statement:** Del Mar College is committed to working to maintain a safe, healthy, lawful, and productive working and educational environment for all employees and students. Studies have shown that use of illegal drugs and abuse of alcohol increases the potential for accidents, absenteeism, tardiness, unsatisfactory performance, inefficiency, poor employee morale, and damage to the College's reputation. The intent of this policy is to make Del Mar College a better place to study and work through upgrading the mental and physical health of the total College community. It acknowledges the freedom of choice of those individuals who require or seek information relative to drug/alcohol abuse.

**B5.40.1.1 Definition of Legal Drugs:** A "legal drug" is a prescribed drug or over-the-counter drug which has been legally obtained and is being legally used for the purpose for which it was prescribed or manufactured.

**B5.40.1.2 Definition of Illegal Drugs:** An "illegal drug" is any drug or controlled substance which is (1) not legally obtainable or (2) is legally obtainable but was not legally obtained. The term «illegal drug» includes all illegal drugs, dangerous drugs, and controlled substances defined and listed in Articles 4476-14 and 4476-15 (Texas Controlled Substances Act) Vernon's Texas Civil Statutes. Marijuana, hashish, cocaine, PCP, LSD, heroin, dilaudid, Quaaludes, steroids, and methamphetamine are only a few of the dangerous drugs or controlled substances which are included within such terms.

#### **B5.40.2 Educational Objectives:**

**B5.40.2.1** To include the subject of illegal drug and alcohol abuse in future College-sponsored student and employee training programs.

**B5.40.2.2** To inform employees of the College's informational service and of this policy through various means, such as divisional and departmental meetings, and new employee orientation processes.

**B5.40.2.3** To inform students of the College of this policy and informational services through various means, such as the campus newspaper *Foghorn*, Counseling Office, club meetings, "drug free"- related activities each semester, and the College's electronic data board located in the campus student centers.

#### **B5.40.3** Applicability and Scope:

**B5.40.3.1** This policy applies to all students and employees of Del Mar College, as well as College visitors, contractors, and all other persons occupying space in/on conveyances, offices, buildings, facilities, or grounds over which Del Mar College has custody and control, including but not limited to rentals and leasing of auditorium and classroom spaces.

**B5.40.3.2** This policy does not cancel or supersede other laws, orders, instructions, or regulations which make the use, possession, and/or distribution of dangerous drugs, and controlled substances illegal.

# Drug and Alcohol Information Services

**B5.40.4 Drug and Alcohol Information Services:** The College recognizes that alcoholism and drug dependency are "illnesses" or "disorders" and the College will provide information to any employee or student seeking assistance.

**B5.40.5 Prohibition of Anabolic Steroid or Human Growth Hormone:** Section 7, Section 4.11, Texas Controlled Substances Act (Article 44.76, Vernon's Texas Civil Statutes), requires that the following notice be posted in a conspicuous place in the gymnasium:

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 body building, 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.

**B5.40.6 Prohibition (Drugs and/or Alcohol):** The College prohibits the unlawful manufacture, sale, distribution, dispensation, possession, or use of controlled substances and/or alcohol in the workplace. The College further prohibits the consumption of any alcoholic beverage or being under the influence of alcohol or any controlled substances within the workplace or in College-owned vehicles. An individual need not be legally intoxicated to be considered "under the influence of a controlled substance or alcohol."

**B5.40.6.1 Exemptions (CEO Approval Required):** The College Chief Executive Officer (CEO) is authorized to approve exemptions to B5.40.6 to allow the serving of alcoholic beverages, as provided by law, at various Foundation, Alumni, and community events sponsored or approved by the College. Exemption requests shall be made on a form provided by the College.

**B5.40.7 Condition of Employment:** As a condition of employment with the College or as a condition of receiving or continuing to receive a federal grant, each person affected shall abide by the terms of the requirements and prohibitions set out in this policy and shall notify the College CEO, in writing, of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

**B5.40.7.1** Within thirty (30) days of receiving notice from an employee or grant recipient, or otherwise receiving actual notice of a conviction for criminal drug statute violation occurring in the workplace, the College shall either (1) take appropriate personnel action against the employee up to and possibly including termination, or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, State or local health agency, law enforcement agency or other appropriate agency.

**B5.40.8 Notice:** Each employee, full-time or part-time, as well as student workers and grant recipients, shall be given a copy of the College's policy on drugs and alcohol and must sign a statement attesting to the receipt of the policy.

**B5.40.8.1** A copy of this policy shall be printed in the College Student Handbook.

**A5.40.9 Drug Prevention Program:** The Administration hereby adopts and implements a program to prevent the illicit use of drugs and the abuse of alcohol by employees and students in the workplace. This policy will be maintained in compliance with federal regulations on behalf of the Drug-Free Schools and Communities legislation.

**A5.40.9.1** Annually the College will distribute copies of this policy and others related to it to each employee and to each student enrolled in a credit course or courses.

- **A5.40.9.2** For all of the above persons, the College prohibits the unlawful possession, use, or distribution of illicit drugs or alcohol on College property or as part of College activities.
- **A5.40.9.3** All students and staff are reminded that local, State, and federal laws provide legal sanctions for unlawful possession of illicit drugs and alcohol. These sanctions may include probation and/or imprisonment.
- **A5.40.9.4** Numerous health risks are associated with the use of alcohol, tobacco, and illicit drugs. These include fetal alcohol syndrome, cancer, heart problems, cirrhosis of the liver, AIDS, and mental and other health problems.
- **A5.40.9.5** The College provides limited counseling services for students and employees who desire them, but prefers to refer those in need of treatment and rehabilitation to local community professionals. Current employee health benefits include insurance coverage for treatment of illnesses associated with the use of illicit drugs and the abuse of alcohol.
- **A5.40.9.6** The College will impose disciplinary sanctions on students and employees which are consistent with law and other policies which have been or will be established. These sanctions may extend up to, and include, expulsion from the College or termination of employment and referral for prosecution. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

# Sexual Misconduct-Programs and Reporting Procedures

## **B9.1 Policy Prohibiting Sexual Misconduct**:

**B9.1.1 Purpose and Authority:** Del Mar College establishes this policy and related procedures and processes in its continuing effort to seek equity in education and employment, and consistent with its legal responsibility and authority to take measures to address, report, investigate, and prevent sexual misconduct, as required by Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681, et. seq.; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, 20 U.S.C. § 1092(f), including the Campus Sexual Violence Elimination Act (Campus SaVE) amendment to the Clery Act (2013); Violence Against Women Reauthorization Act of 2013 (VAWA), as amended; and, Texas Education Code § 51.252 (Tex. SB 212)."

This policy is intended to inform students and employees of their rights if they are subjected to or accused of sexual misconduct, including the complaint procedures and support services that a survivor of sexual misconduct can access. This policy is also intended to inform students and employees of their responsibilities if they are aware that sexual misconduct has occurred to a Del Mar College student or employee.

Sexual misconduct includes sexual violence, sexual harassment, domestic violence, dating violence, sexual assault, stalking, and sex discrimination.

**B9.1.2 Statement of Policy**: Del Mar College (the "College") will not tolerate and strictly prohibits sexual misconduct. The College will act to protect its students and employees from incidents of sexual misconduct committed by employees, students, or outside third parties. Conduct prohibited under this policy will not be tolerated and will be subject to disciplinary action, up to and including dismissal from employment and/or from the College, in accordance with Federal and State regulations and College policy.

**B9.1.3 Scope:** This policy applies to and may be used by all students and employees, regardless of gender, sexual orientation, or gender identity, to report incidents of sexual misconduct occurring on or offcampus. Procedures and processes under this policy will distinguish between reporting sexual misconduct incidents and Filing Formal Complaints.

Student and employee grievances and complaints that do not contain allegations of sexual misconduct are excluded from this process. General student complaints or grievances reflecting a student's disagreement with the application of a specific College rule, practice and/or policy are processed through Board Policy **B7.12**. Employee complaints or grievances regarding general terms and conditions of employment are processed through Board Policy **B5.43**. Student complaints of discrimination, retaliation, and harassment, that do not contain allegations of sexual misconduct, are processed in accordance with Board Policy **B7.19**. Employee complaints of discrimination, retaliation and harassment that do not contain allegations of sexual misconduct are processed through Board Policy **B5.50**.

**A9.1.4 Definitions:** The following definitions apply to terms referenced herein.

**Actual Knowledge:** Actual knowledge means notice of dating violence, domestic violence, gender-based harassment, sex discrimination, retaliation, sexual assault, sexual harassment, or stalking (i.e., "sexual misconduct") or allegations of sexual misconduct to the appropriate Title IX coordinator or designee who has authority to institute corrective measures on behalf of Del Mar College. This standard is not met when the only individual with actual knowledge of sexual misconduct is the respondent. The term "notice," as used in this paragraph, includes, but is not limited to, a report of sexual misconduct to the appropriate Title IX coordinator or designee.

**Coercion:** The use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including psychological or emotional pressure, physical or emotional threats, intimidation, manipulation, or blackmail that causes the person to engage in unwelcome sexual activity. A person's words or conduct are sufficient to constitute coercion if they eliminate a reasonable person's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include but are not limited to threatening to "out" someone based on sexual orientation, gender identity, or gender expression; threatening to harm oneself if the other party does not engage in the sexual activity; and threatening to expose someone's prior sexual activity to another person.

**Complainant:** The Complainant is the student or employee who initiates a complaint of sexual misconduct with either the District Student Complaint Coordinator or the District Complaint Coordinator. Complainants are not limited to those employees or students who have personally experienced the alleged act of sexual misconduct, but also those employees or students who may have either received notice of or witnessed the incident.

**Confidential Employees**: Confidential Employees include counselors in Counseling Services. Additionally, employees who receive information regarding an incident of sexual misconduct under circumstances that render the employee's communications confidential or privileged under other law (such as attorneys) are also considered "Confidential Employees."

**Note**: Under state law, Confidential Employees who receive information regarding incidents of sexual harassment, sexual assault, dating violence or stalking committed by or against a student or an employee of the College, are required to report the type of incident to the Title IX Coordinator (or Deputy Coordinators). Confidential Employees may not include any information that would violate a student's expectation of privacy. The Confidential Employee's duty to report an incident under any other law also applies.

**Consent to Sexual Activity:** Sexual activity requires consent, which is defined as an informed, voluntary, affirmative, and mutual agreement between the participants to engage in a specific sexual act. The following guidelines will be used to determine whether consent was obtained when investigating a complaint of sexual assault against a Del Mar College student or employee:

- Consent to sexual activity can be communicated in a variety of ways, but one should not presume consent has been given in the absence of a clear, positive agreement.
- Consent can only be accurately gauged through direct communication about the decision to engage in sexual activity. The absence of the word "no" or the like (e.g., "stop") does not imply consent.
- Although consent can be non-verbal, verbal communication is the most reliable form of asking for and obtaining consent. Discussing desires, needs, and limitations with sexual partners provides a basis for positive sexual experiences shaped by mutual willingness and respect.
- Presumptions based upon contextual factors (e.g., provocative clothing or dancing, etc.) are unwarranted, and should not be considered grounds for consent.
- As defined in the <u>State of Texas Penal Code §22.011 Sexual Assault</u>, the age of sexual consent is 17. Therefore, consent cannot be obtained from someone who is under the age of 17, as that person is legally considered to be a minor.
- Consent cannot be obtained from someone who is asleep, unconscious, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition (e.g., an intellectual or other disability). A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Engaging in sexual activity with a person whom you know or reasonably should know to be incapacitated constitutes sexual assault.
- Consent to some sexual acts does not constitute consent to other sexual acts.

- Consent must be ongoing throughout a sexual encounter and can be revoked at any time. If you proceed despite your partner's verbal and/or non-verbal communication to stop, you have committed sexual assault.
- Consent cannot be obtained by threat, coercion, or force. Agreement under such circumstances does not constitute consent.
- A prior sexual encounter or pre-existing relationship does not indicate consent to current or future sexual activity.

**Complainant:** A complainant is an individual who is alleged to be the victim of conduct that could constitute dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the consideration of the following factors:

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

**Deliberate Indifference:** Deliberate indifference occurs when an institution of higher education with actual knowledge of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking (i.e., sexual misconduct) in the institution's education program or activity against a person in the United States responds in a manner that is clearly unreasonable in light of the known circumstances. When an institution of higher education responds in a clearly unreasonable manner, that response constitutes intentional discrimination. Failing to promptly respond once an institution of higher education has actual knowledge of sexual misconduct can also be considered deliberate indifference.

**District Complaint Coordinator:** The District Complaint Coordinator, who is the Director of Human Resources, is the person designated by the College to receive any complaint of sexual misconduct against or by employees; assist the Complainant in the use of the complaint form and procedures provided herein; identify a designee to conduct the investigation; provide information regarding law enforcement, medical, sexual trauma and counseling resources; provide assistance regarding various internal and external mechanisms through which the complaint may be filed, including applicable time limits, if any, for filing with external agencies and law enforcement agencies.

**District Student Complaint Coordinator:** The District Student Complaint Coordinator, who is the Dean of Student Engagement and Retention, is the person designated by the College to receive any complaint of sexual misconduct against or by students; assist the Complainant in the use of the complaint form and procedures provided herein; identify a designee to conduct the investigation; provide information regarding law enforcement, medical, sexual trauma and counseling resources; provide assistance regarding various internal and external mechanisms through which the complaint may be filed, including applicable time limits, if any, for filing with external agencies and law enforcement agencies.

**Domestic (Family) Violence:** In accordance with the <u>Violence Against Women Reauthorization Act of 2013 (VAWA)</u>, the term "domestic violence" means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's actions under the domestic or family violence laws of the jurisdiction in which the violence occurred.

**Education Program or Activity:** Education program or activity includes locations, events, or circumstances over which Del Mar College exercised substantial control over both the respondent and the context in which the dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual

assault, sexual harassment, or stalking (i.e., sexual misconduct) occurred; and also includes any building owned or controlled by a student organization that is officially recognized by Del Mar College.

**Formal Complaint:** Formal complaint means a document filed by a complainant or signed by the appropriate Title IX coordinator or designee alleging dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking against a respondent and requesting that Del Mar College investigate the allegation. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in Del Mar College's education program or activity. A formal complaint may be filed with the appropriate Title IX coordinator or designee in person, by mail, email, using the contact information listed in this procedure for the appropriate Title IX coordinator or designee, or completing the online form available at <u>Student Complaint of Sexual Misconduct Incident Form</u>. The formal complaint must contain the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint. If the complainant is not able or willing to sign the complaint, the appropriate Title IX coordinator or designee may sign the complaint in the complainant's stead; however, when the appropriate Title IX coordinator or designee signs a formal complaint, they are not a complainant or otherwise a party and must comply with all Title IX requirements.

**Gender-Based Harassment:** Gender-based harassment includes physical, verbal, or non-verbal conduct based on the student's or employee's gender, the student's or employee's expression of characteristics perceived as stereotypical for the student's or employee's gender, or the student's or employee's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, pervasive, or objectively offensive that the conduct limits or denies a student's ability to participate in or benefit from Del Mar College's education program or activity.

Examples of gender-based harassment directed against a student or employee, regardless of the student's or employee's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

**Hostile Environment:** exists when sexual misconduct is sufficiently severe or pervasive to deny or limit the individual's ability to participate in or benefit from an education program or activity or an employee's terms and conditions of employment. A hostile environment can be created by anyone (e.g., administrators, faculty members, employees, students, and College visitors) involved in an education program or activity or work environment.

In determining whether sexual misconduct has created a hostile environment, the College considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not adequate, that the conduct was unwelcome to the individual who was mistreated. To conclude that conduct created or contributed to a hostile environment, the College must also find that a reasonable person in the individual's position would have perceived the conduct as undesirable or offensive.

To ultimately determine whether a hostile environment exists for an individual or individuals, the College may consider a variety of factors related to the severity, persistence, or pervasiveness of the sexual misconduct, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of the persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and (5) the degree to which the conduct affected an individual's education or employment.

The more severe the sexual misconduct, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sexual misconduct is not particularly severe.

**Incapacitation:** Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. An individual may be incapacitated if they are unaware at the time of the incident of where they are, how they got there, or why or how they became engaged in a sexual interaction.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug. Alcohol and other drugs impact each individual differently and determining whether an individual is incapacitated requires an individualized determination.

After establishing that a person is in fact incapacitated, the College asks two questions:

- Did the person initiating sexual activity know that the other party was incapacitated? and if not,
- Should a sober, reasonable person in the same situation have known that the other party was incapacitated?

If the answer to either of these questions is "YES," consent was absent, and the conduct is likely a violation of this Policy.

A Respondent will be found to have violated policy only if the Respondent knew or should have known that the person was incapacitated.

**Intimidation:** Unlawfully placing another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Official with Authority: An "official with authority" is any Del Mar College employee to whom notice of an incident of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking triggers Del Mar College's response obligations under Title IX; and who have authority to institute corrective measures on behalf of Del Mar College. Del Mar College's officials with authority include, but are not limited to, the Title IX coordinators, deputy Title IX coordinators, dean of students, associate deans of students, and student conduct officers.

**Other Inappropriate Sexual Conduct:** Conduct on the basis of sex that does not meet the definition of "sexual harassment" under this Policy, but is:

If verbal conduct (including through electronic means), unwanted statements of a sexual nature intentionally stated to a person or group of people, that are objectively offensive to a reasonable person and also so severe or pervasive that they created a Hostile Environment, as defined in this Policy. The type of verbal conduct (if all other elements are met) may include:

- Unwelcome sexual advances (including explicit or implicit proposition(s) of sexual contact or activity);
- Requests for sexual favors (including overt or subtle pressure);
- Gratuitous comments about an individual's sexual activities or speculation about an individual's sexual experiences;
- Gratuitous comments, jokes, questions, anecdotes, or remarks of a sexual nature about clothing or bodies;
- Persistent, unwanted sexual or romantic attention;
- Exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials; or
- Deliberate, repeated humiliation or intimidation.

If physical conduct, either:

Sexual exploitation, as defined in this Policy;

- Unwelcome intentional touching of a sexual nature
- Deliberate physical interference with or restriction of movement; or
- Sexual violence as defined in this Policy.

Participants: The term "participants" includes the Complainant, Respondent, and any witnesses.

Parties: The term "parties" refers to the "Complainant" and the "Respondent" under this Policy.

**Preponderance of the Evidence:** The greater weight of the credible evidence. Preponderance of the evidence is the standard for determining allegations of prohibited conduct under this Policy. This standard is satisfied if the action is deemed more likely to have occurred than not.

Respondent: The Respondent is the student, employee or outside third party named in a complaint of sexual violence, initiated pursuant to this policy, as having engaged in sexual misconduct against a College employee or student.

**Responsible Employee:** A College employee who has the duty to report incidents of and information reasonably believed to be Sexual Misconduct to the Title IX Coordinator. All employees are Responsible Employees except Confidential Employees. Responsible Employees include all administrators, faculty, staff, and advisors. Responsible Employees must report all known information concerning the incident to the Title IX Office and must include whether a Complainant has expressed a desire for confidentiality in reporting the incident.

**Retaliation:** A party engages in retaliatory action when he or she engages in revenge or reprisal in response to a complaint of sexual misconduct. Retaliation occurs when the Respondent personally engages in an act of reprisal or allows others to engage in acts of reprisal on their behalf. Retaliation includes, but is not limited to, threats of harm injury against the Complainant and, or witnesses, employment actions meant or to harm an employee Complainant or employee witnesses, adverse grading of student Complainants or student witnesses, or attempts to influence the testimony of witnesses by trying to discuss allegations with the witnesses during the pendency of an investigation and appeal.

**Sex Discrimination:** Occurs when an individual is treated less favorably on the basis of that person's sex (including gender), which may also include on the basis of sexual orientation, gender identity, or expression, pregnancy or pregnancy-related condition, or a sex stereotype. Sexual harassment, as defined in this Policy, is a form of sex discrimination.

**Sexual Assault:** Sexual assault is a form of sexual harassment. Sexual assault includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability. In accordance with the Clery Act, sexual assault is any sexual act directed at another person, without consent of the victim, including instances where the victim is incapable of giving consent; and includes attempted sexual acts, fondling, incest, rape, and statutory rape.

**Sexual Exploitation:** Conduct where an individual takes non-consensual or abusive sexual advantage of another for their own benefit, or to benefit anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to, engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to non-consenting students/groups; the intentional removal of a condom or other contraceptive barrier during sexual activity without the consent of a sexual partner; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted disease (STD) to another.

**Sexual Harassment:** In accordance with Title IX, sexual harassment means conduct on the basis of sex that satisfies one (1) or more of the following:

- A Del Mar College employee conditioning the provision of an aid, benefit, or service of Del Mar College on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Del Mar College's education program or activity; or sexual assault, as defined in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act); and dating violence, domestic violence, or stalking as defined in the Violence Against Women Reauthorization Act of 2013 (VAWA).

Note: Quid pro quo sexual harassment, Clery Act, and VAWA offenses are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access because prohibiting such conduct presents no First Amendment concerns and such serious misconduct causes denial of equal educational access.

Examples of sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature by an employee, a student, or a third (3rd) party; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault; sexual battery; sexual coercion; dating violence, domestic violence, or stalking; and other sexually motivated conduct, communications, or contact.

Physical contact not reasonably construed as sexual in nature is not sexual harassment.

**Sexual Misconduct:** This term is broadly defined to encompass sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, stalking, and other Inappropriate Sexual Conduct.

**Stalking:** In accordance with the Violence Against Women Reauthorization Act of 2013 (VAWA), the term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. "Course of conduct" means two (2) or more acts including, but not limited to, acts in which the stalker directly, indirectly, or through third (3rd) parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Supportive Measures:** Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are designed to restore or preserve equal access to Del Mar College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Del Mar College's educational environment, or deter sexual misconduct. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Del Mar College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality will not impair Del Mar College's ability to provide the supportive measures. The appropriate Title IX coordinator or designee is responsible for coordinating the effective implementation of supportive measures.

**A9.1.5 What To Do If You Are A Victim of Sexual Violence:** Students and employees are advised of the following courses of action in the event of an incident of sexual misconduct.

- a. Your immediate personal safety is of the utmost importance. As soon as possible, following an incident of sexual violence, get to a place of safety.
- b. Contact the police at 911 as soon as possible after the assault has occurred. It is the decision of the person experiencing sexual violence in determining whether or not to file charges. It is important to note that where a charge is filed with the police, the State covers the cost of medical care provided at the emergency room. If a charge is not filed, the person experiencing sexual violence will be responsible for medical costs incurred. However, when a report is filed, you are NOT obligated to continue with the police criminal justice system or the campus disciplinary action process.
- c. Contact someone you trust to be with you and help you deal with any trauma you are experiencing. If you wish, you may contact the College's Counseling Center to assist you (361-698-1586). After business hours, contact Campus Security at (361) 698-1199. Your situation will be handled with confidentially.
- d. It will be important to collect and preserve all evidence, where possible, within 24 hours of the attack of sexual violence. For example, do not change clothes or wash or dispose of clothes you were wearing at the time of the sexual violence incident. Do not wash, shower, or douche. If a change of clothing is unavoidable, put all clothing you were wearing at the time of the sexual violence incidence in a paper (not a plastic) bag. Until police have investigated the area where the incident occurred and dusted for fingerprints, avoid touching any smooth surfaces that the assailant may have touched.
- e. Document any injury you suffered either by photographing or by showing your injuries to someone you trust.
- f. Seek and obtain medical attention as soon as possible to treat any physical injury and obtain preventative treatment for possible sexually transmitted disease and other health services. Medical providers can also assist with preserving evidence documenting your injuries.
- g. In addition to seeking assistance from law enforcement, you can also take steps to protect yourself from

the assailant by staying with friends or family after the act of sexual violence, letting your voicemail record telephone calls and messages, notifying the College of the incident in order to ensure the assailant is not allowed to have contact with you while on campus or at campus event.

## A9.1.5.1 Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator

Del Mar College students and employees can contact the appropriate Title IX coordinator or deputy Title IX coordinator to report incidents of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and stalking (hereafter referred to as "sexual misconduct"). **Note**: Reporting to any individual other than the appropriate Title IX coordinator or deputy Title IX coordinator does not constitute filing a formal complaint for the purposes of initiating the Title IX complaint resolution process. To initiate the Title IX coordinator or deputy Title IX coordinator listed below. Additionally, to initiate the Title IX complaint resolution process, complainants cannot remain anonymous.

Del Mar College designates the following persons as Title IX coordinators and deputy Title IX coordinators:

#### **Title IX Coordinator**

Tammy F. McDonald Vice President for Administration and Human Resources 101 Baldwin Blvd. Heldenfels Administration Bldg. Corpus Christi, TX 78404 tmcdonal1@delmar.edu Phone: (361) 698-2177

## **Deputy Title IX Coordinators**

District Employee Complaint Coordinator
Jerry Henry, SPHR, SHRM-SCP
Executive Director of Human Resources
101 Baldwin Blvd.
Heldenfels Administration Bldg.
Corpus Christi, TX 78404
jhenry12@delmar.edu
Phone: (361) 698-1088

District Student Complaint Coordinator
Rita Hernandez
Dean of Student Engagement and Retention
101 Baldwin Blvd.
Harvin Student Center
Corpus Christi, TX 78404
rhernandez18@delmar.edu
Phone: (361) 698-1277

**A9.1.5.2 Online Reporting Form:** To file a complaint with the appropriate Title IX coordinator or deputy Title IX coordinator electronically, Del Mar College students and employees can submit the online form available at <a href="Student Complaint of Sexual Misconduct Incident Form">Student Complaint of Sexual Misconduct Incident Form</a>.

## A9.1.5.3 Reporting to the Appropriate Official(s)

**A9.1.5.3.1 Law Enforcement:** For immediate notification to local law enforcement, dial 911. Contact information for local law enforcement agencies is also listed below.

**Note:** Reporting to the appropriate law enforcement official(s) does not constitute filing a formal complaint for the purposes of initiating the Title IX complaint resolution process. To initiate the Title IX complaint resolution process, the complainant must submit a formal complaint to the appropriate Title IX coordinator or deputy Title IX coordinator, as outlined in the "Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator" (See A9.1.5.1).

If a complainant requests assistance with reporting to law enforcement, a Del Mar College official will help the complainant with that process. Additionally, complainants have the right not to report a crime or to decline to notify authorities, including law enforcement, if they so choose.

#### **Corpus Christi Police Department**

321 John Sartain St. Corpus Christi, TX 78401 Phone: (361) 886-2600 www.cctexas.com/police

#### San Patricio Sheriff's Office

300 N. Rachal Ave. Sinton, TX 78387 Phone: (361) 364-9600

www.co.san-patricio.tx.us/page/sanpatricio.sheriff

## **Nueces County Sheriff's Office**

901 Leopard St. Corpus Christi, TX 78401 Phone: (361) 887-2222

www.nuecesco.com/law-enforcement/sheriff

**A9.1.5.3.2 Report to Internal Entities:** To report an incident that occurred on a Del Mar College campus or property owned or controlled by Del Mar College, you may contact Campus Security as follows:

#### **Campus Security**

Heritage Campus
101 Baldwin Blvd.
Corpus Christi, TX 78404
Security: (361) 698-1946
Extension: 1946 on any cam

Extension: 1946 on any campus phone https://delmar.edu/offices/safety/

## A9.1.5.3.3 Reporting to Outside Entities

You may also contact the following external agencies:

For students:

Fax: (214) 661-9587

Office for Civil Rights U.S. Department of Education 1999 Bryan Street, Suite 1620 Dallas, TX 75201-6810 Phone: (214) 661-9600 For employees:

U.S. Equal Employment Opportunity Commission Dallas District Office 207 S. Houston Street, 3rd Floor Dallas, TX 75202 Phone: (800) 669-4000 Fax: (214) 253-2720

Texas Workforce Commission Civil Rights Division 101 E. 15th Street Room 144-T Austin, TX 78778-0001

Phone: (512) 463-2642

#### A9.1.5.4 Counseling and Supportive Services

## A9.1.5.4.1 Del Mar College Counseling Office and Human Resources Office (HR)

**Note:** Reporting to the Counseling Services Office or Human Resources Office (HR) does not constitute filing a formal complaint for the purposes of initiating the Title IX complaint resolution process. To initiate the Title IX complaint resolution process, the complainant must submit a formal complaint to the appropriate Title IX coordinator or deputy Title IX coordinator, as outlined in the "Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator" section above.

Personal and group counseling sessions are offered free of charge to all currently enrolled Del Mar College students. Counseling sessions are confidential and conducted by licensed mental health professionals. Additionally, the Counseling Services Office can provide appropriate referrals to on- and off-campus resources for Del Mar College students. For more information, contact:

#### **Del Mar College Counseling Center**

101 Baldwin Blvd. Harvin Student Center, 2<sup>nd</sup> floor Corpus Christi, TX 78404 Phone: (361) 698-1586 Fax (361) 698-1649

Del Mar College employees can contact the Human Resources Office (HR) for advocacy and support. HR can assist employees with appropriate accommodations and reporting to law enforcement. Additionally, HR provides appropriate resource information for off-campus resources. For more information, contact:

## Office of Human Resources

101 Baldwin Blvd. Heritage Campus, Heldenfels Admin Building, Suite 101 Corpus Christi, TX 78404 Phone: (361) 698-1088

**A9.1.5.4.2 External Confidential Support and Resources:** Students may discuss an incident with Confidential Employees or an off-campus resource (e.g. rape crisis center, doctor, psychologist, clergyperson, etc.) without concern that the person's identity will be reported to the Title IX Officers. Employees may also seek assistance from their own personal health care provider, the clergyperson of their choice, or an off-campus rape crisis resource without concern that the person's identity will be reported to the Title IX Officers.

The community resources that provide confidential services are:

Behavioral Health Center of Nueces County 1233 Agnes Street Corpus Christi, TX 24/7 psychiatric crisis hotline: 1-888-767-4493

Bayview Behavioral Hospital 6629 Wooldridge Road Corpus Christi, TX Crisis Line: (361) 986-8200

Christus Spohn Hospital 2606 Hospital Blvd. Corpus Christi, TX 24/7 Crisis Line: 1-888-767-4493

Coastal Plains Community Center Locations in Rockport, Beeville, Falfurrias, Alice, Kingsville, and Portland 24/7 Crisis Line: 1-800-841-6467 Crime Victim Services 3833 S. Staples St. #203 Corpus Christi, TX 78411 (361) 852-7540

Corpus Christi Hope House 658 Robinson St. Corpus Christi, TX 78404-2521 (361) 852-2273

Sexual Assault Legal Services & Assistance (888) 343-4414

Purple Door 813 Buford St. Corpus Christi, TX 78404 (361) 881-8888 or (800)-580-4878

National Sexual Assault 24/7 Crisis Hotline (RAINN) 1-800-656-HOPE (4673) Stalking Resource Center/National Center for Victims of Crime

**A9.1.5.5** Anonymous Reports: In accordance with the Texas Education Code § 51.9365, Del Mar College students and employees can report sexual misconduct anonymously by submitting the online form available at Student Compliant of Sexual Misconduct Incident Form. However, the submission of an anonymous electronic report may impair Del Mar College's ability to investigate and address the sexual misconduct. Additionally, to initiate the Title IX complaint resolution process, complainants cannot remain anonymous.

**A9.1.5.6 Alternative Reporting Procedures:** A student or employee will not be required to report sexual misconduct to the person alleged to have committed the conduct. Reports concerning sexual misconduct, including reports against the Title IX coordinators, may be directed to the College CEO.

A report against the College CEO may be made directly to the Board of Regents (Board). If a report is made directly to the Board, the Board will appoint an appropriate person to conduct the investigation.

**A9.1.5.7 Timely Reporting:** Reports of sexual misconduct should be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair Del Mar College's ability to investigate and address the sexual misconduct.

**A9.1.5.8 Federal Statistical Reporting Obligations**: Federal law requires that certain campus officials report incidents of sexual assault, domestic violence, dating violence and stalking solely for federal statistical reporting purposes. However, all personally identifiable information is kept confidential, but statistical information must be forwarded to campus law enforcement regarding the type of incident and the general location where it occurred for publication in the Campus Security Report.

**A9.1.5.9 Federal Timely Warning Reporting Obligations:** Employees and students who have been subjected to acts of sexual violence should also be aware that federal law requires College administrators issue immediate timely warnings for incidents that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. Under these circumstances, the Complainant's name and other identifying information is not disclosed, but the campus community will still be provided with enough information so that individuals can make safety decisions considering the immediate danger posed.

**A9.1.5.10** Amnesty Policy for Del Mar College Students: In accordance with the Texas Education Code §51.284, Del Mar College will give amnesty to (i.e., not take disciplinary action against) a student who reports, in good faith, that the student was the victim of or a witness to an incident of sexual misconduct as defined by this policy. This amnesty policy applies regardless of the location at which the incident occurred or the outcome of Del Mar College's disciplinary process regarding the incident, if any. This amnesty policy does not apply to a student who reports their own commission or assistance in the commission of sexual misconduct as defined by this policy.

**A9.1.5.11 Privacy and Confidentiality:** To the greatest extent possible, Del Mar College will respect the privacy of the complainant, respondent, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. Del Mar College will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without inclusion of personally identifying information about the complainant. Additionally, Del Mar College must maintain as confidential any accommodations or supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality will not impair Del Mar College's ability to provide the accommodations or supportive measures.

**A9.1.5.12 False Reports and Claims:** A Del Mar College student who intentionally submits a false report, makes a false claim, or offers false statements will be subject to appropriate disciplinary action.

A Del Mar College employee who intentionally submits a false report, makes a false claim, offers false statements, or refuses to cooperate with a Del Mar College investigation regarding sexual misconduct will be subject to appropriate disciplinary action.

Charging an individual with a violation(s) for making a materially false statement in bad faith in the course of a complaint resolution proceeding does not constitute prohibited retaliation. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

#### **A9.1.6 Informal Resolution Process**

Del Mar College's Title IX complaint process is initiated by the alleged victim (hereafter referred to as the "complainant"), appropriate Title IX coordinator, or an official with authority to institute corrective measures on behalf of Del Mar College.

**A9.1.6.1** To file a complaint, the complainant can contact the appropriate Title IX coordinator or deputy Title IX coordinator listed in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section of this procedure, or submit the online form available at <a href="Student Complaint of Sexual Misconduct">Student Complaint of Sexual Misconduct</a> Incident Form.

If reported orally, the complaint will be reduced to writing by the appropriate Title IX coordinator or designee. The complaint must be signed. If the complainant is not able or willing to sign the complaint, the appropriate Title IX coordinator or designee may sign the complaint in the complainant's stead.

**A9.1.6.2 Supportive Measures:** Once Del Mar College has actual knowledge of an allegation of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and/or stalking (hereafter referred to as "sexual misconduct"), the appropriate Title IX coordinator or designee will promptly contact the complainant and offer supportive measures (i.e., appropriate advocacy resources on and off campus).

These supportive measures and resources are available to the complainant whether or not they choose to file a formal complaint.

In the event a complaint is filed, and the appropriate Title IX coordinator or designee determines an investigation should be initiated, supportive measures will also be offered to the respondent.

**A9.1.6.3 Initiation of Informal Resolution Process:** Title IX permits the voluntary use of an informal resolution process after a formal complaint is filed at any time prior to a final determination being reached in the case. The parties must provide their voluntary consent in writing to participate in an informal resolution process.

Informal resolution is prohibited in any case where an employee is accused of engaging in sexual misconduct against a student.

Del Mar College will not require the parties to waive their rights to a formal process and agree to informal resolution as a condition of enrollment or employment.

Prior to initiating the informal resolution process, the appropriate Title IX coordinator will provide the parties with the required written notice of the allegations and a description of the parameters of the informal

resolution process. This written notice will include a statement that either party is permitted to withdraw from the informal resolution process and resume the formal resolution process at any time prior to a final determination being reached in the case.

**A9.1.6.4** Anticipated Time Frame for Informal Resolution Process: Del Mar College will endeavor to expedite all informal resolutions. Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for Del Mar College to delay its investigation, the informal resolution process should be completed within a reasonably prompt time frame. However, Del Mar College may temporarily delay or grant a limited extension of the time frame for good cause as long as both parties are notified in writing of the delay or extension and the reason(s) for the action.

The anticipated time frame from receipt of the formal complaint through the informal resolution process, culminating with both parties signing the Informal Resolution Agreement Form, is thirty (30) days.

#### A9.1.6.5 Phase 1 of the Informal Resolution Process:

**A9.1.6.5.1 Meeting with Informal Resolution Facilitator:** The appropriate Title IX coordinator or designee will assign an informal resolution facilitator to coordinate the informal resolution process. Del Mar College may outsource the facilitator at their discretion.

**A9.1.6.5.2** The informal resolution facilitator will meet separately with both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process) and explain the Title IX complaint and informal resolution processes. The informal resolution facilitator will inform the parties that an informal resolution is permissible if both parties choose to participate in and willingly consent to this type of resolution in writing. The informal resolution facilitator will notify both parties that either party is permitted to withdraw from the informal resolution process and resume the formal complaint process at any time prior to a final determination being reached in the case.

**A9.1.6.5.3** Both parties will have to agree in writing indicating they are voluntarily and willingly consenting to pursue the informal resolution process at this time. This form serves as written notice to both parties that they are permitted to withdraw from the informal resolution process and resume the formal complaint process at any time prior to a final determination being reached in the case. Additionally, this form stipulates that the matter will be closed once a final determination is reached and informs the parties that the formal process will not be re-initiated once both parties agree to the final determination in writing.

**A9.1.6.5.4** If either party chooses to withdraw from the informal resolution process, they will be required to do so in writing. This process must be completed prior to a final determination being reached and both parties signing the Informal Resolution Agreement Form.

#### A9.1.6.6 Phase 2 of the Informal Resolution Process: Informal Resolution Agreement

**A9.1.6.6.1** After meeting with both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process) separately to ascertain the parameters for an informal resolution agreement, the informal resolution facilitator will present the Informal Resolution Agreement Form to both parties and clearly explain the informal resolution terms.

**A9.1.6.6.2** Both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process) will be notified simultaneously in writing of the completed Informal Resolution Agreement Form and allowed ten (10) days to review and respond to the document.

**A9.1.6.6.3** Any edits made to the Informal Resolution Agreement Form by either party and/or the informal resolution facilitator will be simultaneously sent in writing to both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process).

**A9.1.6.6.4** If, after ten (10) days, both parties agree to the informal resolution terms, including any edits made by either party and/or the informal resolution facilitator during the review period, they will sign the final Informal Resolution Agreement Form. Both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process) will be provided an electronic and hard copy of the signed Informal Resolution Agreement Form for their respective records by the informal resolution facilitator or appropriate Title IX coordinator or designee.

**A9.1.6.6.5** Once the final Informal Resolution Agreement Form is signed, the matter will be closed, the resolution will be non-appealable, and the formal complaint process will not be re-initiated.

## **A9.1.7 Formal Resolution Process**

**A9.1.7.1 Receipt of Complaint:** Del Mar College's Title IX complaint process is initiated by the alleged victim (hereafter referred to as the "complainant"), appropriate Title IX coordinator, or an official with authority to institute corrective measures on behalf of Del Mar College.

**A9.1.7.2** To file a complaint, the complainant can contact the appropriate Title IX coordinator or deputy Title IX coordinator listed in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section of this handbook, or submit the online form available at <a href="Student Compliant of Sexual Misconduct Incident Form">Student Compliant of Sexual Misconduct Incident Form</a>.

If reported orally, the complaint will be reduced to writing by the appropriate Title IX coordinator or designee. The complaint must be signed. If the complainant is not able or willing to sign the complaint, the appropriate Title IX coordinator or designee may sign the complaint in the complainant's stead.

**A9.1.7.3 Supportive Measures:** Once Del Mar College has actual knowledge of an allegation of dating violence, domestic violence, gender- based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and/or stalking (hereafter referred to as "sexual misconduct"), the appropriate Title IX coordinator or designee will promptly contact the complainant and offer supportive measures (i.e., appropriate advocacy resources on and off campus).

These supportive measures and resources are available to the complainant whether or not they choose to file a formal complaint.

In the event a complaint is filed, and the appropriate Title IX coordinator or designee determines an investigation should be initiated, supportive measures will also be offered to the respondent.

#### A9.1.7.4 Anticipated Time Frame for Formal Resolution Process

**A9.1.7.4.1** Del Mar College will endeavor to expedite all formal complaint investigations and resolutions. Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for Del Mar College to delay its investigation, the formal complaint process should be completed within a reasonably prompt time frame. However, Del Mar College may temporarily delay or grant a limited extension of the time frame for good cause as long as both parties are notified in writing of the delay or extension and the reason(s) for the action.

**A9.1.7.4.2** The anticipated time frame from receipt of the formal complaint through the investigation and live hearing phases, culminating with the hearing officer's Written Determination of Responsibility, is 60 days.

**A9.1.7.4.3** The anticipated time frame for the appeal process phase, culminating with the appeal decision-maker's Appeal Determination or the CEO or designee's decision (in cases where expulsion of a student or termination of an employee is recommended), is 45 days.

## A9.1.7.5 Phase 1 of the Formal Resolution Process: Determination to Proceed with an Investigation

A9.1.7.5.1 The appropriate Title IX coordinator or designee will determine whether the allegation(s):

- occurred while participating in or attempting to participate in Del Mar College's education program or activity;
- impacted a person in the United States; and/or
- if proven, would meet the definition of sexual misconduct.

**A9.1.7.5.2** The alleged conduct must be so severe, pervasive, or objectively offensive that it limits or denies a student's ability to participate in or benefit from an educational program or activity.

**Note:** Quid pro quo harassment, Clery Act, and VAWA offenses are not evaluated for severity, pervasiveness, or offensiveness, or denial of equal educational access because such misconduct is sufficiently serious to deprive a student of equal access.

**A9.1.7.5.3** If the allegations in the complaint meet the criteria defined above, the appropriate Title IX coordinator or designee will assign an appropriate individual(s) to investigate the complaint.

**A9.1.7.5.4** If the allegation(s) should be addressed through another Del Mar College process, the Title IX coordinator or designee will forward the complaint to the appropriate party.

**A9.1.7.5.5** Dismissal of Complaint: If the allegations in the formal complaint do not meet one (1) or more of the criteria listed above, the complaint will be dismissed. Additionally, Del Mar College may dismiss a complaint at any time if:

- the complainant would like to withdraw the complaint;
- the respondent is no longer enrolled at or employed by Del Mar College; or
- specific circumstances prevent Del Mar College from gathering evidence sufficient to reach a determination.

If a complaint is dismissed for any of the reasons above, the appropriate Title IX coordinator or designee will notify the parties in writing of the reason(s) for the dismissal.

Even if a formal complaint is dismissed for any of the reasons above, the appropriate Title IX coordinator or designee may refer the alleged incident to the student disciplinary process or employee general complaint process for appropriate investigation and resolution. For more information on the student disciplinary process, contact the Dean of Student Engagement and Retention Office at (361) 698-1277. For more information on the employee general complaint process, contact the Human Resources Office (HR) at (361) 698-1088 or hr@delmar.edu.

**A9.1.7.5.5.1 Appealing the Complaint Dismissal:** Either the complainant or respondent may appeal any dismissal of the complaint on the following grounds by submitting a written request to the appropriate Title IX coordinator or designee:

- procedural irregularity that affected the outcome;
- new evidence not reasonably available that could affect the outcome; and/or
- conflict of interest or bias by Del Mar College's participants that affected the outcome.

The non-appealing party will be notified the other party has appealed and will be allowed to submit a written statement in response.

**A9.1.7.5.5.2 Dismissal of Complaint Appeal Procedures:** The appropriate Title IX coordinator or designee will assign an individual(s) from the pool of hearing officers to conduct the dismissal of complaint appeal. For more information on hearing officers, see the Hearing Officer section under A9.1.7.7 of the Formal Complaint Process: Live Hearing below.

The hearing officer will be free from conflicts of interest or bias for or against the parties.

The hearing officer will conduct a prompt, fair, impartial, unbiased, and equitable process from receipt of the dismissal of complaint appeal to the submission of the Decision Regarding Dismissal of Complaint Appeal.

The appropriate Title IX coordinator or designee will forward all information regarding the formal complaint, reason(s) for dismissal, appeal of the dismissal, and the non-appealing party's written statement to the hearing officer.

The hearing officer will review the documentation and may, at their discretion, meet separately with the complainant and/or respondent.

The hearing officer will consider whether the dismissal of the complaint is appropriate and will write a rationale explaining their decision. The hearing officer will then notify the parties and appropriate Title IX coordinator or designee in writing whether the dismissal of the complaint is upheld or overturned.

If the dismissal of the complaint is overturned, the appropriate Title IX coordinator or designee will re- initiate the Title IX complaint resolution process at the appropriate level. The Title IX complaint resolution process will resume at the same point it ended when the complaint was dismissed.

If the dismissal of the complaint is upheld, the hearing officer's determination is final and non-appealable. However, the appropriate Title IX coordinator or designee may still refer the alleged incident to the student disciplinary process or employee general complaint process for appropriate investigation and resolution. For more information on the student disciplinary process, contact the Dean of Student Engagement and Retention Office at (361) 698-1277. For more information on the employee general complaint process, contact the Human Resources Office (HR) at (361) 698-1088 or hr@delmar.edu.

#### A9.1.7.6 Phase 2 of the Formal Resolution Process: The Investigation

**A9.1.7.6.1 Investigator:** Del Mar College will maintain a pool of investigators consisting of members of the Dean of Student Engagement and Retention Office and any other appropriately trained investigators designated by Del Mar College. The appropriate Title IX coordinator or designee will assign an individual(s) from the pool of investigators to investigate the complaint.

All investigators will receive appropriate training on at least an annual basis to function in this role.

The investigator will be free from conflicts of interest or bias for or against the complainant or respondent (hereafter referred to as "the parties").

The investigator will conduct a prompt, fair, impartial, unbiased, and equitable process from the initial investigation to the submission of the Investigation Report.

Throughout the investigation, the burden of gathering evidence and burden of proof will fall on Del Mar College and the investigator, not the parties.

**A9.1.7.6.2 Initiating the Investigation:** The investigator will send an initial written notice containing details of the complaint and allegation(s) to both parties at the onset of the investigation.

The respondent will be presumed to be not responsible for the alleged sexual misconduct until a written determination is made at the conclusion of the Title IX complaint process. This presumption will be stated in the initial written notice provided to both parties at the onset of the investigation.

**A9.1.7.6.3 Advisors' Roles During the Investigation Phase:** In accordance with Title IX, both parties will have equal right to be accompanied by an advisor of their choice to interviews, meetings, and hearings with the investigator. Del Mar College will not provide an advisor for either party during this phase of the Title IX complaint process. Del Mar College retains the right to limit the role of both parties' advisors in interviews, meetings, and hearings with the investigator.

**A9.1.7.6.4 Interim Action(s) and Temporary Removal(s):** If, after engaging in an individualized safety and risk analysis, the investigator determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegation of sexual misconduct justifies the temporary removal of the respondent, the investigator may recommend interim action(s) to the appropriate Title IX coordinator or designee. If the appropriate Title IX coordinator or designee approves the interim action(s), the investigator will provide the respondent with written notice of the interim action(s).

The investigator will meet with the respondent to discuss and explain the interim action(s). If the interim action(s) include a temporary removal (e.g., temporary immediate suspension, temporary removal from Del Mar College, temporary employee administrative leave):

The investigator will explain to the respondent their right to challenge the interim action(s) immediately after the temporary removal.

If the respondent chooses to challenge the temporary removal and submits a challenge in writing, the investigator will submit it to the Title IX Coordinator or Title IX Deputy Coordinator along with a brief rationale explaining the individualized safety and risk analysis utilized to arrive at the interim action(s). The Title IX

Coordinator or Title IX Deputy Coordinator will review the documentation, consider whether the removal is appropriate, and write a rationale explaining their decision. The Title IX Coordinator or Title IX Deputy Coordinator will then notify the parties and investigator in writing whether the removal is upheld or overturned.

**A9.1.7.6.5 Investigative Interviews, Meetings, or Hearings:** The investigator will meet separately with the parties, their respective advisors (if the parties elect to provide their own advisors during this phase), and witnesses.

The investigator will send written notice of any investigative interviews, meetings, or hearings to both parties and afford them sufficient time to prepare for these events.

During the initial interview, meeting, or hearing, with the parties and their respective advisors (if the parties elect to provide their own advisors during this phase), the investigator will:

- notify the parties and their respective advisors (if the parties elect to provide their own advisors during this phase) of their rights and options, including their right to file a complaint with the U.S. Department of Education Office for Civil Rights (OCR);
- explain the preponderance of the evidence standard (i.e., more likely than not to have occurred);
- provide a list of potential disciplinary sanctions and remedies. The investigator will review and explain this document and answer any questions regarding the potential disciplinary sanctions and remedies; and
- explain the informal resolution provisions outlined in the Informal Resolution section of this handbook.

The parties will have equal opportunity to present witnesses (including both fact and expert witnesses), inculpatory evidence (i.e., evidence that can establish an individual's involvement in an act or guilt), and exculpatory evidence (i.e., evidence that can exonerate an individual).

The investigator will not restrict the ability of either party or their respective advisors (if the parties elect to provide their own advisors during this phase) to discuss the allegations and gather or present relevant evidence.

**A9.1.7.6.6 Authorization to Obtain Treatment Records:** The investigator will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the investigator first obtains the party's voluntary, written consent to do so.

**A9.1.7.6.7 Investigation Report:** At the conclusion of the investigation, the investigator will write an Investigation Report that fairly summarizes the investigation and includes all evidence. The investigator will send the parties and their respective advisors (if the parties elect to provide their own advisors during this phase) the Investigation Report in electronic format or hard copy, and will give them 10 days to respond to the document prior to finalizing it.

The investigator will complete the finalized Investigation Report at least 10 days prior to the live hearing. The parties and their respective advisors (if the parties elect to provide their own advisors during this phase) will be notified simultaneously in writing of the final investigation findings, and a copy of the finalized Investigation Report will be sent to them in electronic format or hard copy by the investigator or appropriate Title IX coordinator or designee.

#### A9.1.7.7 Phase 3 of the Formal Resolution Process: Live Hearing

The investigation will be followed by a live hearing.

The parties and their respective advisors will be notified simultaneously in writing of the date, time, and place of the live hearing.

If a party is unable to obtain an advisor for the live hearing, Del Mar College will provide one (1) free of charge for the purpose of conducting cross-examination for the party. The appropriate Title IX coordinator or designee will assign an appropriate advisor to the party for the live hearing.

**A9.1.7.7.1 Hearing Officer:** The hearing officer will serve as the first (1st) decision-maker in the formal Title IX complaint process.

Del Mar College will maintain a pool appointed hearing officers. The hearing officers will not be the Title IX coordinators, deputy Title IX coordinators, investigators, or hearing officer who made a determination in the complaint dismissal appeal, if applicable.

The appropriate Title IX coordinator or designee will assign an individual(s) from the pool of hearing officers to conduct the live hearing. Del Mar College may utilize outside resources as the hearing officer.

All hearing officers will receive appropriate training on at least an annual basis to function in this role. The hearing officer will be free from conflicts of interest or bias for or against the parties.

The hearing officer will conduct a prompt, fair, impartial, unbiased, and equitable process from the live hearing to the submission of the Written Determination of Responsibility.

**A9.1.7.7.2 Live Hearing Procedures:** The Title IX Coordinator or Title IX Deputy Coordinator can determine to conduct the live hearing in person or by video conference.

Specific procedures for the live hearing, including time limits for statements, rebuttal, and cross-examination, will be provided to the complainant, respondent, and their respective advisors prior to the live hearing.

The live hearing will be conducted by the hearing officer on the specified date and time to hear from the complainant, respondent, their respective advisors, and witnesses. Live hearings will be conducted in a designated room at the Del Mar College East Campus.

At either party's request, the hearing officer will provide the parties with separate rooms and the use of appropriate technology so the hearing officer, the parties, and their respective advisors can simultaneously see and hear all questions.

The hearing officer must make an audio recording, video recording, or transcript of the live hearing. The hearing officer will make the audio recording, video recording, or transcript available to the parties for inspection and review after the conclusion of the live hearing.

The hearing officer will permit each party's advisor to ask the other party and all witnesses any relevant questions and follow-up questions, including those bearing on credibility. Cross-examination will be conducted directly, orally, and in real time by the parties' respective advisors and never by the parties personally.

Advisors' roles will not be limited when cross-examination is permitted during the live hearing. However, the hearing officer has the responsibility to determine the relevancy of questions and explain in real time any decision not to permit a question. Questions and evidence concerning a complainant's sexual predisposition or prior sexual behavior are irrelevant and not permitted, unless these questions are offered to prove that someone other than the respondent committed the alleged misconduct or to prove consent.

If a party or witness refuses to submit to cross-examination, the hearing officer is required to ignore that individual's statement and reach a decision based on the remaining body of relevant evidence. However, the hearing officer is not permitted to draw an adverse inference based on the mere fact that an individual refused to submit to cross-examination.

**A9.1.7.7.3 Written Determination of Responsibility:** After the live hearing, the hearing officer will deliberate on the evidence provided and determine responsibility using the preponderance of the evidence standard (i.e., more likely than not to have occurred). The hearing officer will compose a Written Determination of Responsibility which will:

- identify the allegation(s) at issue;
- describe the procedural steps taken throughout the case;
- detail the findings of fact supporting the hearing officer's determination;
- enumerate the conclusions regarding application of Del Mar College's Title IX policy;
- contain a detailed a statement and rationale as to the determination for each allegation;

- clearly state any disciplinary sanctions being imposed (or recommended in the case of expulsion of a student or termination of an employee) on the respondent and any remedies that must be provided to the complainant; and
- describe the procedures and permissible grounds for appeal.

The hearing officer or appropriate Title IX coordinator or designee will send the Written Determination of Responsibility simultaneously to the parties and their respective advisors in electronic format or hard copy along with information about how to file an appeal.

The Written Determination of Responsibility will become final when:

- the stated time period to file an appeal has passed for both parties and neither party appeals, or
- the parties are notified that the hearing officer's determination was upheld after the appeal process has been exhausted for both parties.

**A9.1.7.7.4 Potential Penalties Imposed on a Respondent:** The hearing officer may impose the following penalties on a student respondent or other penalties, as appropriate:

- Reprimand;
- Loss of privileges
  - o Removal from elected or appointed office;
  - o Loss of privileges which may be consistent with the offense committed and the rehabilitation of the student.
    - Restriction from specific college buildings, areas, or facilities;
    - No contact with designated person;
    - Academic registration block; or
    - Loss of college privileges, including social or co-curricular privileges.
  - o Disciplinary probation with or without loss of designated privileges for a specified period of time. The violation of the terms of disciplinary probation or the infraction of any College rule during the disciplinary action will result in automatic suspension.
- Suspension for a definite period of time; and
- Recommendation for Expulsion.

The hearing officer may impose the following penalties on an employee respondent or other penalties, as appropriate:

- Coaching and Counseling,
- Written Disciplinary Action,
- Unpaid Administrative Leave, and
- Recommendation for Termination

**A9.1.7.7.5 Potential Remedies Provided to Complainants:** If a respondent is found to be responsible for committing sexual misconduct, Del Mar College must effectively implement remedies for the complainant that are designed to restore or preserve the complainant's right to equal access to education.

Remedies the hearing officer can offer to a student complainant include, but are not limited to:

- Campus Change if course work is available at a different Del Mar College location;
- Class Schedule Change;
- Drop a Course Without an Academic Penalty;
- Increased Security and Staff Monitoring of Certain Areas of the Campus;
- Information Regarding and Referrals to the Appropriate Agency for a No-Contact Order, Order of Protection,
- Restraining Order, or Similar Lawful Order through a Civil, Criminal, or Tribal Court;
- Late Withdrawal from a Course;
- No Contact Directive Issued by Del Mar College;
- Referral to Appropriate Medical Facility;
- Referral to Appropriate Off-Campus Resources;

- Referral to Del Mar College Campus Security Department and/or Local Law Enforcement Agency;
- Referral to Counseling Services;
- Specific Educational Programming for an Individual or Group;
- Student Employment Assignment Change; and

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Remedies the hearing officer can offer to an employee complainant include, but are not limited to:

- Increased Security and Staff Monitoring of Certain Areas of the Campus;
- Information Regarding and Referrals to the Appropriate Agency for a No-Contact Order, Order of Protection,
- Restraining Order, or Similar Lawful Order through a Civil, Criminal, or Tribal Court;
- No Contact Directive Issued by Del Mar College;
- Referral to Appropriate Medical Facility;
- Referral to Appropriate Off-Campus Resources;
- Referral to Del Mar College Security Department and/or Local Law Enforcement Agency;
- Specific Educational Programming for an Individual or Group; and
- Work Schedule Reassignment.

## A9.1.7.8 Phase 4 of the Formal Resolution Process: Appeal

Either the complainant or respondent may appeal the hearing officer's determination on the following grounds by submitting a written request to the appropriate Title IX coordinator within ten (10) College District business days of the hearing officer's decision:

- procedural irregularity that affected the outcome;
- new evidence not reasonably available that could affect the outcome; and/or
- conflict of interest or bias by Del Mar College's participants that affected the outcome.

The non-appealing party will be notified the other party has appealed and will be allowed to submit a written statement in response.

**A9.1.7.8.1 Appeal Decision-Maker:** The appeal decision-maker will be an appropriate college official. The appeal decision-maker will not be the same individual who served as the hearing officer during the live hearing. Additionally, the appeal decision-maker(s) will not be the Title IX coordinators, deputy Title IX coordinators, or investigators.

All appeal decision-makers will receive appropriate training on at least an annual basis to function in this role.

The appeal decision-maker will be free from conflicts of interest or bias for or against the parties.

The appeal decision-maker will conduct a prompt, fair, impartial, unbiased, and equitable process from the appeal to the submission of the Appeal Determination.

**A9.1.7.8.2 Appeal Procedures:** The appropriate Title IX coordinator or designee will forward all information regarding the investigation, Investigation Report, and hearing officer's Written Determination of Responsibility to the appeal decision- maker.

The appeal decision-maker will review the records and evidence and may, at their discretion, meet separately with the complainant and their advisor, the respondent, and their advisor, and/or witnesses.

**A9.1.7.8.3** Appeal Determination: After the appeal, the appeal decision-maker will deliberate on the evidence provided and make a determination using the preponderance of the evidence standard (i.e., more likely than not to have occurred). The appeal decision-maker will compose an Appeal Determination, which will describe the:

- appeal and rationale for the determination, and
- procedures and permissible grounds for appeal.

The appeal decision-maker or appropriate Title IX coordinator or designee will send the Appeal Determination simultaneously to the parties and their respective advisors in electronic format or hard copy along with information about how to file an appeal, if applicable.

The appeal decision-maker's determination is final and non-appealable except when expulsion of a student or termination of an employee is recommended.

**A9.1.7.8.4 Expulsion and Termination Appeals to the Chief Executive Officer (CEO) or Designee:** In cases where expulsion of a student or termination of an employee is recommended, either the complainant or respondent may appeal the appeal decision-maker's determination by submitting a written request to the appropriate Title IX coordinator or designee within ten (10) College District business days of the appeal decision-maker's determination.

The non-appealing party will be notified the other party has appealed and will be allowed to submit a written statement in response.

The appropriate Title IX coordinator or designee will forward all information regarding the investigation, Investigation Report, hearing officer's Written Determination of Responsibility, and appeal decision-maker's Appeal Determination to the CEO or designee.

The CEO or designee will review the records and evidence and may, at their discretion, meet separately with the complainant and their advisor, the respondent, and their advisor, and/or witnesses.

The CEO or designee will deliberate on the evidence provided and make a determination to affirm, modify, or reverse the recommendation for expulsion or termination.

The CEO or designee or appropriate Title IX coordinator or designee will simultaneously notify the parties and their respective advisors in writing of the CEO or designee's decision within ten (10) College District business days.

The CEO or designee's decision is final and non-appealable.

**A9.1.7.8.5** Appeals to the Board of Regents: In cases where the complainant or respondent is the Chief Executive Officer (CEO), either the complainant or respondent may appeal the appeal decision-maker's determination by submitting a written request to the Chair of the Board of Regents within ten (10) College District business days of the appeal decision-maker's determination.

**A9.1.7.8.6** Disclosure of Results of Disciplinary Proceeding: Upon written request, Del Mar College will disclose to the alleged victim of a crime of violence, as defined in Title 18, § 16, United States Code, or nonforcible sex offense (i.e., incest or statutory rape) the report on the results of any disciplinary proceeding conducted by Del Mar College against a student or employee who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, Del Mar College will treat the victim's next of kin as the alleged victim.

**A9.1.7.8.7 Other Policies Not Applicable:** Unless expressly referenced in this policy, the requirements of any other policy or provision relating to rights or procedures for filing and hearing of a grievance or an appeal, or specifying a time within which a grievance or appeal must be filed or heard, are overruled as inapplicable to sexual violence complaints.

**A9.1.7.8.8 Extension of Time Limits:** During the pendency of the investigation and appeal process, any party may request an extension of time limits stated herein to deal with emergent exigencies. A request for an extension of time limits shall submitted to and approved by the College CEO during the investigation stage, or the independent arbitrator during the appeal stage. If the CEO is the Respondent, any such request must be made to the Board of Regents. All parties must be advised of any approved request by the party granting the request.

## A9.1.8 Information for Del Mar College Employees

**A9.1.8.1 Employees' Duty to Report: Note:** Submitting a mandatory report for incidents of sexual misconduct does not constitute filing a formal complaint for the purposes of initiating the Title IX complaint resolution

process. To initiate the Title IX complaint resolution process, the complainant must submit a formal complaint to the appropriate Title IX coordinator or deputy Title IX coordinator, as outlined in the "Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator" section in this document.

**A9.1.8.1.1** In accordance with the Texas Education Code §51.252, a Del Mar College employee who, in the course and scope of employment, witnesses or has knowledge of information regarding the occurrence of an incident that the employee reasonably believes constitutes dating violence, sexual assault, sexual harassment, or stalking and is alleged to have been committed by or against a person who was a student enrolled at or an employee of Del Mar College at the time of the incident will promptly report the incident to Del Mar College's Title IX coordinator or deputy Title IX coordinator. The report must include all information concerning the incident known to the reporting person that is relevant to the investigation and, if applicable, redress of the incident, including whether an alleged victim has expressed a desire for confidentiality in reporting the incident.

**A9.1.8.1.2** In accordance with the Texas Education Code §51.252, an employee of Del Mar College who is designated by Del Mar College as a person with whom students may speak confidentially concerning dating violence, sexual assault, sexual harassment, or stalking, or who receives information regarding such an incident under circumstances that render the employee's communications confidential or privileged under other law will, in making a report under this section, state only the type of incident reported and may not include any information that would violate a student's expectation of privacy. This subsection does not affect the employee's duty to report an incident under any other law.

**A9.1.8.2 Filing a Report:** Del Mar College employees can report in writing or via email to following:

#### Title IX Coordinator

Tammy F. McDonald
Vice President for Administration and Human Resources
101 Baldwin Blvd.
Heldenfels Administration Bldg.
Corpus Christi, TX 78404
tmcdonal1@delmar.edu

**Deputy Title IX Coordinators:** 

Phone: (361) 698-2177

District Employee Complaint Coordinator Jerry Henry, SPHR, SHRM-SCP Executive Director of Human Resources 101 Baldwin Blvd.
Heldenfels Administration Bldg.
Corpus Christi, TX 78404
jhenry12@delmar.edu

Phone: (361) 698-1088

## **District Student Complaint Coordinator**

Rita Hernandez
Dean of Student Engagement and Retention
101 Baldwin Blvd.
Harvin Student Center
Corpus Christi, TX 78404
rhernandez18@delmar.edu

Phone: (361) 698-1277

**A9.1.8.3 Failure to Report:** An employee that fails to report an act of sexual misconduct or knowingly makes a false report under Texas Education Code § 51.252, could be subject to termination.

**A9.1.8.4 Exceptions:** A Del Mar College employee is not required to make a report under this section concerning:

- an incident in which the employee was a victim of dating violence, sexual assault, sexual harassment, or stalking; or
- an incident in which the employee received information due to a disclosure made at a dating violence, sexual assault, sexual harassment, or stalking public awareness event sponsored by the Del Mar College or by a student organization affiliated with Del Mar College.

# **Discrimination/Harassment**

**B7.19 Discrimination and Harassment Complaint Policy for Students**: Del Mar College, in its continuing effort to seek equity in education and act in compliance with federal and state law, provides a complaint procedure for the prompt and equitable investigation and resolution of complaints of unlawful retaliation, or discrimination and/or harassment of students based on their race, color, age, national origin, religion, disability, veteran or military status.

This complaint procedure excludes complaints that are covered in the District's Policy **B9.1 Prohibiting Sexual** Misconduct that constitute the grievance procedures for complaints alleging unlawful sex discrimination and sexual misconduct as required under Title IX of the Education Amendments of 1972.

As used herein, "complaint" is synonymous with "grievance." This procedure may be used by any student of the College.

**A7.19.2 Exclusion:** Student grievances and general complaints that do not contain allegations of retaliation, discrimination, or harassment based on the student's race, color, sex (including pregnancy, gender identity/ transgender status, sexual orientation), age, national origin, religion, disability, veteran or military status are excluded from this process. Such complaints will be addressed under B7.12 for student issues that do not contain complaints of retaliation, discrimination or sexual harassment. Complaints of sexual violence will be addressed under the District's Policy Prohibiting Sexual Violence (B9.1).

A7.19.3 District Student Complaint Coordinator: The District Student Complaint Coordinator, who is the Dean of Student Engagement and Retention, shall receive any complaint of alleged retaliation, discrimination or harassment as identified herein, assist the Complainant in the use of the complaint form and provide the Complainant with information about various internal and external mechanisms through which the complaint may be filed, including applicable time limits, if any, for filing with external agencies. The District Student Complaint Coordinator may identify a designee to receive, and, or assist with the investigation of complaints. If any Del Mar College employee receives a complaint of retaliation, discrimination or harassment from a student, he or she will immediately notify the District Student Complaint Coordinator of the complaint.

**A7.19.4 Complainant's Rights:** The Complainant is always free to file a complaint with any appropriate state or federal agency at any point during the complaint process.

**A7.20 Confidentiality and Freedom from Reprisal or Retaliation**: Complaints involve sensitive student matters and potential personnel matters. All parties involved in a complaint shall take the process seriously and respect the rights of privacy of the Complainant, the Respondent, the reviewer(s) and any witnesses or parties engaged in the complaint process. Del Mar College will endeavor to maintain confidentiality to the extent permitted by law. There will be no retaliation, interference, or harassment toward any party to a complaint. Should a Complainant or witness experience any reprisal or retaliation as a result of filing a complaint pursuant to this section, the Complainant should immediately report the retaliatory action to the District Student Complaint Coordinator for intake, investigation and resolution as provided herein.

#### **A7.21 Definitions**

**A7.21.1 Discrimination on the Basis of Protected Characteristic(s):** Discrimination occurs where action adversely affecting the student's education is taken against a student by another student or Del Mar College employee, including Del Mar College administration, faculty or staff, or third parties participating in activities, work or programs of Del Mar College based on the student's race, color, sex (including pregnancy, gender

identity/transgender status, sexual orientation), age, national origin, religion, disability, veteran or military status.

**A7.21.2 Harassment on the Basis of Protected Characteristic(s):** Harassment is conduct of an oral, written, graphic or physical nature directed towards a student by another student or Del Mar College employee, including Del Mar College administration, faculty or staff, or third parties participating in activities, work or programs of Del Mar College based on the student's race, color, sex (including pregnancy, gender identity/ transgender status, sexual orientation), age, national origin, religion, disability, veteran or military status that is sufficiently severe, pervasive, or persistent so as to unreasonably interfere with the student's education such that an intimidating, hostile, or offensive environment is created.

## **Policy Carrying Handguns On Campus by License Holder**

**B10.1.1 Purpose and Authority:** Del Mar College recognizes and enforces state law regulating firearms on campus.

Senate Bill 11 was passed by the Texas Legislature and signed into law on June 16, 2015, and made **effective for Community Colleges August 1, 2017**. This bill added <u>Section 411.2031 to Chapter 411 of the Texas Government Code</u>.

This policy is designed to be in compliance with Senate Bill 11 (Chapter 411 Section 411.2031 of the Texas Government Code) and to inform faculty, staff, students, and visitors of policy regarding the carrying of concealed handguns on campus by individuals who are licensed to carry a handgun and to address the safety, security, health and welfare of the college community. Individuals who do not have a valid license to carry a handgun are currently and will continue to be prohibited from carrying a handgun on campus.

The chief executive officer (CEO) of the Del Mar College District shall establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus or on premises located on campus. The CEO may amend the provisions as necessary for campus security. The provisions take effect as determined by the CEO unless subsequently amended by the Board of Regents. No other College employee, student, council, committee, or student group may declare areas as prohibited campus locations.

**B10.1.2 Scope:** This policy applies to all individuals who attend classes, work, conduct business, or visit any Del Mar College campus, including but not limited to students, employees, consultants, visitors, patients, clients, volunteers, contractors, commercial tenants, or vendors. This policy does not apply to peace officers as defined in Article 2.12 of the Texas Code of Criminal Procedure, and does not apply to military service members or officers, inspectors, or investigators employed by a federal agency who are carrying a weapon in the discharge of official duties.

**B10.1.3 Statement of Policy and Policy Violation:** A handgun license holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the College campus or in a College vehicle, unless prohibited by state or federal law, or this policy.

The College enforces state law regulating firearms on campus. This enforcement occurs in two ways. First, College security or applicable law enforcement agencies will investigate and take appropriate action, including referral for criminal prosecution when violations occur. Second, the College will consider any violation of state law regulating firearms to be a violation of College policy.

Intentional reveal of a handgun on campus is prohibited. Any such incident is a criminal offense under Texas law and will be grounds for disciplinary action under DMC policy applicable to faculty, staff, and students. Texas Penal Code Section 30.06.

Failure to comply with this policy may result in disciplinary action up to and including termination or dismissal from the College under policy applicable to students, staff, and faculty.

The open carrying of a handgun on campus is prohibited by law.

The CEO or the CEO's designee is responsible for maintaining a **comprehensive list of prohibited campus locations.** 

**A10.1.4 Enforcement and Reporting:** The primary responsibility for enforcement of this policy lies with Del Mar College Security. To report a concern or potential violation, immediately contact DMC Security at (361) 698-1946 or in an emergency call 911.

**A10.1.5 Definitions:** The following definitions apply to terms referenced herein.

- **1. Adjudicatory** Locations used for formal proceedings conducted for student and employee matters.
- 2. Campus Means all land and buildings owned or leased by Del Mar College.
- **3. Concealed Handgun** A handgun, the presence of which is not openly discernible to the ordinary observation of a reasonable person.
- 4. Interscholastic event Means a function or program existing or conducted among schools.
- 5. License to Carry a Handgun (License Holder) A License to Carry a handgun (LTC) issued by the Texas Department of Public Safety (TXDPS), under Texas Government Code Chapter 411, Subchapter H. Also includes valid Concealed Handgun Licenses issued by the TXDPS, as well as licenses from other states, the validity of which is recognized by the State of Texas.
- **6. Location** Means a building, portion of a building, or a specific room or area in a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot or other parking area.
- 7. Open carry Visible possession of a handgun in public.
- **8. Prohibited Campus Location** An area of campus, building, portion of a building, or a specific room or area in a building in which the possession of handguns is prohibited as provided in (prohibited campus locations). The term does not include any public or private driveway, street, sidewalk or walkway, parking lot or other parking area.
- **9. Sporting Event** High school, collegiate, or professional sporting event or interscholastic (UIL) or similarly sponsored interscholastic events. (This provision does not apply to intramural games, club sports, or impromptu "pickup" games.)

# A10.1.6 Prohibited Campus Locations: A license holder is prohibited from carrying a concealed handgun on the following prohibited campus locations.

- 1. Lichtenstein Center for Early Childhood Development building and school play yard.
- 2. Labs, storage rooms, mechanical rooms or IT server rooms (those with dangerous chemicals/combustible gas/toxic biologic agents or where equipment failure would cause a catastrophic event resulting in the college's inability to operate).
- 3. Physical activity courses and events such as: swimming, tennis, basketball, racquetball, dance, intramural sports, club sports.
- 4. Locations used for formal adjudicatory proceedings (student or employees).
- 5. Locations used for counseling by Licensed Professional Counselors employed by the Counseling Center (TPC §46.03;§46.035).
- 6. Testing centers administering nationally sanctioned tests (ACT, SAT, TOEFL, CLEP, IBT) prohibit the carrying of a firearm under the rules of the testing organization.
- 7. In College owned or leased passenger transportation unless granted written permission from the CEO or CEO's designee.
- 8. Classrooms and other locations that are specified for exclusive use by Collegiate High School.
- 9. Locations where a high school, collegiate, or professional sporting event or interscholastic (UIL) or similarly sponsored interscholastic events are occurring. (This provision does not apply to intramural games or impromptu "pickup" games.)
- 10. Any campus locations where Pre-K through Grade 12 youth camps, academies, and UIL competitions are occurring.
- 11. Any room used by a government entity for a duly-posted meeting in accordance with the Texas Open Meetings Act.
- 12. Locations used as a polling place during early voting or on the day of election.

Other areas where handguns are not permitted:

- 1. Where alcohol is served at events held on DMC property.
- 2. Any DMC property that is rented on a temporary basis by outside entities.

3. Any locations where the college, as directed or approved by the president as necessary for campus safety, gives effective notice on a temporary basis pursuant to Section 30.06, Penal Code. For this rule, the term "owner of the property" in Section 30.06(b), Penal Code, means the president of the college. No college employee is "someone with apparent authority to act for the owner" for purposes of Section 30.06(b), Penal Code. All notices under Section 30.06, Penal Code, will be institutional notice, conform to Sections 46.03 and 46.035, Penal Code, and apply equally to all handgun license holders.

A listing of identified campus locations can be found here: Prohibited Campus Locations

**A10.1.7 Other Possible Prohibited Campus Locations:** The College leases locations to certain entities. The lessor of the leased facilities determines the restrictions on possession of weapons in those locations. The lessor of the leased facilities will notify the College of those restrictions as determined by the lease agreement.

**A10.1.8 Effective Notice:** At all locations where concealed carry is prohibited, the College must give effective notice under Section 30.06, Penal Code. The College Security Department is to be contacted for questions about signage or to acquire signs.

**A10.1.9 Carrying of Concealed Handguns by Employee:** Any employee who is a license holder may carry a concealed handgun into his or her work area, unless prohibited under this policy. However, if the employee is not authorized by Del Mar College district to use the handgun in the course and scope of performing his or her duties, the possession, storage, or use of a handgun which results in personal injury or property damage may make the employee personally liable for the injury or damage. Furthermore, the employee may not be entitled to immunity under Section 411.208 of the Texas Government code or any other immunity or indemnity the individual may otherwise be entitled as a Del Mar College district employee.

**A10.1.10 Storage and Safeguarding of Handguns:** The College will not provide general storage, secured storage or storage of any kind for handguns for license to carry holders. License to Carry Holders are solely responsible for safeguarding their handguns at all times. License to Carry Holders who fail to use reasonable care in securing handguns or properly concealing handguns are subject to disciplinary actions up to and including termination or dismissal from the College as applicable to students, faculty and staff or termination of a business relationship.

**A10.1.11 Disclosure by License to Carry Holder**: License to Carry Holders are not required to disclose their license status to anyone on campus other than a law enforcement officer. The College will not maintain a list of license to carry holders.

**A10.1.12 Permitted Concealed Carry by a License Holder:** Concealed carry is permitted on campus in areas that are not on the prohibited campus location list and in public or private driveway, street, sidewalk or walkway, parking lot, or other parking area.

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#### DISCLAIMER

The provisions and information set forth in this publication are intended to be informational and not contractual in nature. Thus, this publication is not intended, and shall not be construed, to constitute a contract between the Del Mar College District and any student, prospective student, agency of the local, state, or federal government, or any other person or legal entity of any and every nature whatsoever. Del Mar College hereby reserves and retains the right to amend, alter, change, delete, or modify any of the provisions of this publication at any time, and from time to time, without notice, in any manner that the Administration or the Board of Regents of Del Mar College deems to be in the best interest of Del Mar College.

#### EQUAL OPPORTUNITY/AFFIRMATIVE ACTION

Del Mar College is an Equal Opportunity/Affirmative Action Employer and Educational Institution. The College takes affirmative action to endeavor that no person shall be denied the benefits of equal employment or be subjected to discrimination in employment or educational programs and activities of Del Mar College on the basis of race, color, sex (including pregnancy, gender identity/transgender status, sexual orientation), age, national origin, religion, disability, or any other constitutionally or statutorily impermissible reason.

## PENDING BUSINESS

| Item | Date | Request  | Due      | Status             |
|------|------|--|----------|--------------------|
| 1    |      | Internal Audit Report to the Board                 | October  | October<br>Meeting |
| 2    |      | Quarterly Financial Report                         | October  | October<br>Meeting |
| 3    |      | Quarterly Investment Report                        | October  | October<br>Meeting |
| 4    |      | 2024-2029 Strategic Planning<br>Process Update     | October  | October<br>Meeting |
| 5    |      | Clery Act  | October  | October<br>Meeting |
| 6    |      | CEO Annual Report to the Board –<br>Title IX/SB212 | October  | October<br>Meeting |
| 7    |      | Tax Abatement Yearly Review                        | November |                    |
| 8    |      | Enrollment Report                                  | November |                    |
| 9    |      | THECB Strategic Plan                               | December |                    |
| 10   |      | Foundation Yearly Update                           | December |                    |
| 11   |      | Preview of Student Charges                         | December |                    |
| 12   |      | Professional Contract Review                       | December |                    |
| 13   |      | Policy Review Schedule                             | December |                    |
| 14   |      | Student Charges                                    | February |                    |
| 15   |      | 2024-2029 Strategic Planning<br>Process Update     | February |                    |
| 16   |      | Annual Ethics Update                               | February |                    |
| 17   |      | Report on Tax Collections                          | March    |                    |
| 18   |      | Strategic Enrollment Management (SEM)              | May      |                    |
| 19   |      | Tuition and Fee Schedules for CE Programs          | May      |                    |

# Consent Agenda Item 1

# MINUTES OF THE REGULAR MEETING DEL MAR COLLEGE DISTRICT

August 8, 2023

The Regular Meeting of the Board of Regents of the Del Mar College District convened on Tuesday, August 8, 2023 at 1:00 p.m., at the Center for Economic Development, 3209 S. Staples, Room 106, Corpus Christi, Texas with the following present:

#### From the Board:

Ms. Carol Scott, Dr. Nicholas Adame, Ms. Libby Averyt, Dr. Anantha Babbili, Mr. Carl Crull, Mr. Rudy Garza, Jr., and Mr. David Loeb.

## From the College:

Dr. Mark Escamilla, President and CEO; Ms. Lenora Keas, Executive Vice President and COO; Mr. Raul Garcia, Vice President and CFO; Mr. Ali Kolahdouz, Vice President and Chief Information Officer; Dr. Jonda Halcomb, Vice President and Chief Academic Officer; Ms. Tammy McDonald, Vice President of Administration and Human Resources; Ms. Patricia Benavides-Dominguez, Vice President for Student Affairs; Ms. Cheryl Sanders, Associate Vice President for Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Mr. John Strybos, Vice President and Chief Physical Facilities Officer; Ms. Mary McQueen, Vice President of Advancement and Government Relations; Ms. Delia Perez, Director of CEO Office and Board Relations, and other staff and faculty.

## CALL TO ORDER/QUORUM CALL

Chair Scott called the meeting to order with a quorum present. She requested a moment of silence followed by the Pledge of Allegiance and Del Mar College Vision Statement.

**GENERAL PUBLIC COMMENTS** – The public was given the opportunity to provide public comments (both general and specific to any agenda item).

There were no public comments made for this meeting.

• College Reading and Learning Association (CRLA) Certification Level 1 (Goal 4: Learning Environments)

Ms. Patricia Benavides-Dominguez provided information regarding the Student Success Center's College Reading and Learning Association Certification Level 1 (CRLA). She described how the training offers benefits for the institution, program administrators, and students. The certification is certified through April 30, 2026.

Ms. Benavides-Dominguez responded to questions from the Board of Regents.

• June 27, 2023: TAMUCC/DMC MOU Signing, College Connection Program (Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Escamilla signed the College Connection Program MOU along with representatives from Texas A&M-Corpus Christi. Both institutions for higher education continue to advance their relationships for the benefit of our students having seamless transfer opportunities.

• July 11, 2023: TACC Executive Committee Meeting (Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Escamilla announced he attended the TACC Executive Committee Meeting.

• July 17-19, 2023: Anthology Together Conference, Nashville, TN (Goal 2: Recruitment and Persistence)

Dr. Escamilla attended and presented with Anthology's Chief Innovation Officer, Dr. Melissa Hart at the Anthology Together Conference.

• July 19-20, 2023: TACC Annual Summer Conference, Lakeway, TX (Goal 5: Workforce Development, Community Partnerships, and Advocacy)

Dr. Escamilla attended the TACC Annual Summer Conference with Dr. Jonda Halcomb and Ms. Patricia Benavides-Dominguez. Discussion was held regarding House Bill 8.

• Budget Update (Goal 6: Financial Effectiveness and Affordability)

Dr. Escamilla reported that with everyone's patience, the current budget dates are currently fluid until more information needed is provided. Dr. Escamilla thanked the Business Office for all the work they have been doing with various scenarios.

## REGENT'S REPORT:

Chair Scott stated Regent Turner and Dr. Escamilla also attended the CCATT Trustee Leadership Seminar. They were able to hear Dr. Linda Garcia, Executive Director of the Center for Community College Student Engagement. She presented interesting data about the student experience, and specifically attentive to trends around the student engagement and the student experience in Texas.

## **BOARD NOTIFICATION:**

• Revisions to "A" Administrative Procedures in DMC Policy B7.13.7 Student Scholastic

Ms. McDonald discussed the administrative procedure section of the Board of Regents regarding revisions for policy concerning Student Scholastic Dishonesty. Ms. McDonald stated Dr. Paul Gottemoller, Dean Rita Hernandez, and Dr. Halcomb worked together as a team to bring this policy change to completion. She asked all the Deans and faculty members who worked on the policy revision to stand and be recognized.

Ms. McDonald responded to questions from the Board of Regents.

#### PENDING BUSINESS:

Status Report on Requested Information (Goal 5: Workforce Development, Community Partnerships, and Advocacy)

#### CONSENT AGENDA

## Notice to the Public

The following items are of a routine or administrative nature. The Board of Regents has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Board member or a citizen, in which event the item(s) will immediately be withdrawn for individual consideration in their normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

## CONSENT MOTIONS:

(At this point the Board will vote on all motions not removed for individual consideration.)

#### ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

1. Approval of Minutes:

Regular Board Meeting, May 9, 2023

Board Retreat, May 17 and 18, 2023

Regular Board Meeting, June 13, 2023

Called Meeting, June 30, 2023

(Goal 5: Workforce Development, Community Partnerships, and Advocacy)

- 2. Acceptance of Investments for June and July 2023 (Goal 6: Financial Effectiveness and Affordability)
- 3. Acceptance of Financials for June 2023 (Goal 6: Financial Effectiveness and Affordability)

Regent Crull made a motion to adopt the Consent Agenda. Regent Babbili seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

## REGULAR AGENDA

Ms. McDonald began the presentation and introduced Mr. Dan Graves and Mr. Brandon Tanous, partners with Weaver.

Mr. Tanous provided the results of the internal audit over the Payroll Department which included the scope and results of the audit. In response to formalized payroll Standard Operating Procedures (SOP), the Payroll Department has expanded the SOP manual to include the areas identified in the audit. This manual will be reviewed and verified annually. Additionally, it will be updated as soon as new payroll processes are created.

Mr. Graves continued provided an update regarding the Bursar's Office being complete and they are in the process of closing out the audit. Also, for Safety and Security, they are in the planning stages of this advisory audit and anticipate the fieldwork will begin in the next 2 to 3 weeks. Mr. Graves stated they have a couple of clarifications with the IT and IT Security Department which will be handled in Closed Session at a later date. They are in the process of helping the College update Standard Operating Procedures for the Construction Management audit. The annual Internal Audit report is prepared by Weaver in accordance with the State Auditor's guidelines. This report will be filed with the State Auditor's Office, the Legislative Budget Board, and the Governor's Office by November 1, 2023.

Mr. Graves, Mr. Tanous, and Ms. McDonald responded to questions from the Board of Regents.

Regent Adame made a motion to accept the Internal Audit Report as presented. Regent Babbili seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously 7-0, amongst Regents

present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

Mr. Garcia introduced Mr. David McElwain with the Patterson Group, a Meeder Investment Management Company. He presented his report which included information regarding the College's investments, performance and current economic conditions affecting the investments.

Mr. McElwain stated the Federal Reserve is continuing their course of raising rates. Short-term T-Bills had spiked up into the 6 to 7% range and they leveled out by the end of the month. Mr. McElwain reviewed treasury yields and presented information regarding the College's portfolio. Mr. McElwain reviewed the College's Pooled Funds and stated the book value to close out the third quarter is over \$112 million, and the market value is just under \$100 million. The 2018 Bond Fund remains around \$20 million. The College's Portfolio remains fully invested in securities, or 86% in agencies, and 14% in municipal bonds.

Mr. McElwain and Dr. Escamilla responded to questions from the Board of Regents.

Regent Babbili made a motion to accept the College's Quarterly Investment Report as presented. Regent Garza seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

Mr. Garcia stated in accordance with the Board's Investment Policy for Adoption of Investment Policy, the Texas Funds Investment Act, and the Public Funds Collateral Act, the College is required and has a written investment policy which describes the strategy, investment objectives, preservations and safety of principle liquidity, diversification, and investment yields. Mr. Garcia introduced Mr. McElwain who stated that there have been no changes statutorily to require any changes in the College's policy.

Regent Babbili made a motion to adopt the investment policy and strategy with no changes as presented. Regent Averyt seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

Mr. Garcia stated in accordance with the Board's Investment Policy the Texas Public Funds Investment Act, and the Public Funds Collateral Act, the College is required to review, revise, and adopt a list of qualified brokers that are authorized to engage in investment activity for the College on an annual basis. Mr. Garcia introduced Mr. McElwain who stated the broker dealer list was expanded and they added new names, and a couple of firms had name changes. He indicated that the updated broker list gives a little more flexibility and a little more variety.

Regent Crull made a motion to adopt the resolution of the authorized broker dealer list as presented. Regent Babbili seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

Mr. Garcia stated that the College's financial performance ending as of May 2023 is sound relative to the annual plan budget. Tuition is trending similar to prior years actual at \$18 million with the possibility of closing out the year at \$22 million. The reported property tax revenues are trending at the same rate relative to prior years, and the College's investments revenues are performing well above the planned budget, due to better-than-expected investment yields. The operating expenses were \$77.9 million, within the plan budget, at a rate of 68%, which is relatively consistent with the prior

year's rate of 67%. Mr. Garcia reviewed the May 2023 balance sheet being well positioned to weather most business interruptions with a cash and investment position of \$73.3 million. The College's liquidity levels are sufficient to pay its current obligations valued at \$16.9 million.

Mr. Garcia responded to questions from the Board of Regents.

Regent Loeb made a motion to adopt the College's Quarterly Financial Statement as presented. Regent Babbili seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

Mr. Strybos provided information regarding Project Change Order #14 which is to address changes in the scope of work that resulted from 1) additional work due to Audio Visual devices; 2) architect's supplemental information; 3) Request for Information (RFI) responses issued by architect; 4) bulletin issued by the architect; and 5) unforeseen sight conditions. After reviewing details of the change order, Mr. Strybos stated the project is approximately 89% complete. The total amount of this Change Order is \$69,161.03 being funded with plant funds. The total cost for this project for the Central Plant and the rest of the campus is \$129,644,126.53.

Mr. Strybos and Dr. Escamilla responded to questions from the Board of Regents.

Regent Crull made a motion to approve Change Order #14 as presented. Regent Adame seconded the motion. There was no further discussion from the Board. There were no public comments. A vote was taken by show of hands, and the motion carried unanimously 7-0, amongst Regents present, with Regents Scott, Adame, Averyt, Babbili, Crull, Garza, and Loeb in favor.

At 2:01 p.m., the Chair announced that the Board was going into Closed Session pursuant to:

## 14. CLOSED SESSION pursuant to:

- A. <u>TEX. GOV'T CODE § 551.074(a)(1)</u>: (Personnel matters), regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, with possible discussion and action in open session;
- B. <u>TEX. GOV'T CODE § 551.089</u>: (Deliberations), regarding security devices or audits, regarding security assessments or deployments relating to information, resources, technology, network security information or the deployment or specific occasions for implementation of security personnel, critical infrastructure or security devices with possible discussion and action in open session; and,
- C. <u>TEX. GOV'T CODE § 551.071</u>: (Consultation with legal counsel), regarding pending or contemplated litigation, or a settlement offer, with possible discussion and action in open session; and the seeking of legal advice from counsel on pending legal or contemplated matters or claims, with possible discussion and action in open session.

The Board of Regents reconvened in Open Session at 2:54 p.m. with no action taken.

**CALENDAR**: Discussion and possible action related to calendaring dates.

ADJOURNMENT: The meeting was adjourned at 2:56 p.m.

# MINUTES OF THE CALLED MEETING OF THE BOARD OF REGENTS OF THE DEL MAR COLLEGE DISTRICT (PUBLIC HEARING ON ADOPTION OF TAX RATE FOR 2023-2024)

September 12, 2023

The Called Meeting (Public Hearing on Adoption of Tax Rate for 2023-2024) of the Board of Regents of the Del Mar College District convened on Tuesday, September 12, 2023 at 11:30 a.m., at the Center for Economic Development, 3209 S. Staples, Room 106, Corpus Christi, Texas with the following present:

## From the Board:

Ms. Carol Scott, Dr. Nicholas Adame, Dr. Anantha Babbili, Mr. Carl Crull, Mr. Rudy Garza, Mr. Bill Kelly, and Mr. David Loeb.

Ms. Libby Averyt participated virtually.

## From the College:

Dr. Mark Escamilla, President and CEO; Ms. Lenora Keas, Executive Vice President and COO; Mr. Raul Garcia, Vice President and CFO; Mr. Ali Kolahdouz, Vice President and Chief Information Officer; Dr. Jonda Halcomb, Vice President and Chief Academic Officer; Ms. Tammy McDonald, Vice President of Administration and Human Resources; Ms. Patricia Benavides-Dominguez, Vice President for Student Affairs; Ms. Cheryl Sanders, Associate Vice President for Student Affairs; Mr. Augustin Rivera, Jr., General Counsel; Mr. John Strybos, Vice President and Chief Physical Facilities Officer; Ms. Mary McQueen, Vice President of Advancement and Government Relations; Ms. Delia Perez, Director of CEO Office and Board Relations, and other staff and faculty.

## CALL TO ORDER/QUORUM CALL

Chair Scott called the meeting to order with a quorum present. She requested a moment of silence followed by the Pledge of Allegiance and Del Mar College Vision Statement.

**GENERAL PUBLIC COMMENTS** – The public was given the opportunity to provide public comments (both general and specific to any agenda item).

There were no public comments made for this meeting.

At 11:32 a.m., Chair Scott opened the Public Hearing on the College Tax Rate for 2023-2024.

## ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

Mr. Garcia thanked the Board of Regents for their support throughout this year's unprecedented budget process. Mr. Garcia stated that today's tax information did not change from the August 29, 2023 presentation to the Board of Regents. Mr. Garcia reviewed the proposed property tax rate and history. The proposed 2024 tax rates will generate much needed tax revenue to fund the 2024 M&O and debt service budget plans approved by the Board at the August 29th meeting.

Since fiscal year 2021, property taxes have been on a downward trend reaching a new low for fiscal year 2024 with a proposed combined tax rate of nearly \$.24 cents. From the lens view of the homeowner with a taxable homestead value of \$224,000, they will experience a reduced tax bill relating to the College's tax levy valued at \$532 from the previous year's \$534.

The proposed M&O tax rate will generate about \$65.1 million in tax revenues for the college in fiscal year 2024. This is a decline from the preceding year's operating tax revenue valued at \$65.5 million. The proposed debt service tax will generate tax revenues valued at \$20.8 million, which will be used towards the annual principal and interest payments on the College's long-term general obligations. The reduced debt service payment from FY 2021 valued at \$23.5 million is down for FY 2024 valued at \$20.8 million and attributed to the maturity of two bonds this past month.

2. Discussion and possible action related to public hearing comments.......Mr. Raul Garcia (Goal 5: Workforce Development, Community, Partnerships, and Advocacy)

There were no public comments.

Chair Scott recessed the meeting at 11:36 a.m., but kept it open to accommodate any member of the public who wished to present public commebnt.

Chair Scott reconvened the Board at 11:46 a.m.

At 11:47 a.m., the Chair announced that the Board was going into Closed Session pursuant to:

## **CLOSED SESSION:**

- A. TEX. GOV'T CODE § 551.071: (Consultation with legal counsel), regarding pending or contemplated litigation, or a settlement offer, with possible discussion and action in open session; and the seeking of legal advice from counsel on pending legal, or contemplated matters or claims, with possible discussion and action in open session;
- B. TEX. GOV'T CODE § 551.074(a){I): (Personnel Matters), regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; including, Annual Evaluation of College President, and President's Contract; and
- C. TEX. GOV'T CODE § 551.072: (Real Property Deliberation), regarding the potential purchase, exchange, lease, or value of real property with possible discussion and action in open session.

The Board of Regents reconvened in Open Session at 12:38 p.m. with no action taken.

ADJOURNMENT: The meeting was adjourned at 12:38 p.m.

MINUTES REVIEWED BY GC: /s/ARjr

# REGULAR AGENDA Item 2



TO: Mark Escamilla, Ph.D.

President and CEO

FROM: Tammy McDonald

Vice President of Administration and Human Resources

DATE: September 28, 2023

RE: Internal Audit Report to the Board of Regents

#### SUMMARY:

As part of the internal audit process, for board review and acceptance, the following information will be presented by Daniel Graves and Brandon Tanous, Partners with Weaver.

- Reports & Status:
  - o Internal Audit Follow-up of Purchasing
  - o Internal Audit of Bursar's Office Processes
  - o Internal Audit Advisory of Safety and Security
  - o Internal Audit Advisory of Construction Management
  - o Internal Audit Follow-up of IT Security to be conducted in Closed Session
  - o Proposed FY24 Internal Audit Plan
  - o Internal Audit FY23 Annual Report

#### **BACKGROUND:**

The Board of Regent's Audit Committee met on September 20, 2023. Daniel Graves with Weaver was present and reviewed internal audit reports and status information with the committee.

#### RECOMMENDATION:

Board Action to accept the Internal Audit Report.

#### LIST OF SUPPORTING DOCUMENTS:

Presentation Internal Audit Reports (2) FY23 Annual Report



# Del Mar College

Internal Audit Status Report to the Board of Regents

October 3, 2023



# 2023 IA Update



- > 2023 Internal Audit Plan Status
  - Purchasing Follow-Up Procedures Audit Report
  - Bursar's Internal Audit Status
  - Safety and Security Advisory Status
  - Construction Management Advisory Status
  - Information Security Follow-Up Procedures Audit Report
- > 2024 Proposed Internal Audit Plan
- > 2023 Annual Internal Audit Report

# Internal Audit Follow-Up Procedures Over Purchasing



## **Scope and Objectives**

- The follow-up procedures focused on the remediation efforts taken by Del Mar College Management to address the findings included in the 2022 Internal Audit Report over Purchasing, and to validate that appropriate corrective action had been taken.
- We evaluated the corrective actions of the three internal audit findings identified in the 2022 Internal Audit Report over Purchasing.

| Risk Rating | Total Findings | Remediated |
|-------------|----------------|------------|
| High        | -              | -          |
| Moderate    | 1              | 1          |
| Low         | 2              | 2          |
| Total       | 3              | 3          |

# Internal Audit Follow-Up Procedures Over Purchasing – Summary Results



Based on our evaluation, Del Mar College Management made significant efforts to remediate the three findings from the 2022 Internal Audit Report, including the development of new processes and procedures to address the risk areas identified.

| 2022 Finding  | Results               |
|---|-----------------------|
| Finding 1 – MODERATE – Vendor Performance Monitoring: The College does not have a formal and established process for contract managers to routinely evaluate vendors, their performance, and to work with Procurement Management to suspend vendors when necessary.                                     | Finding<br>Remediated |
| Finding 2 – LOW – Informal Serial, Sequential or Split Purchasing Monitoring: The Purchasing Department does not have a consistent process in place to perform formal monitoring of potential serial, sequential or split purchases to ensure that purchase are not being split to circumvent controls. | Finding<br>Remediated |
| Finding 3 – LOW – Vendor File Completion: The completion of the Vendor Information Form is performed inconsistently.  | Finding<br>Remediated |



## **Bursar's Office**

- Audit procedures are complete, and we held an exit meeting with the process owners on Monday, September 19.
- The report received a Satisfactory rating.
- The coverage period for the audit was October 1, 2021, through March 31, 2023.

## Scope

- The scope of the audit includes an evaluation of risks and internal controls in place related to Del Mar College's Bursar's Office processes, including:
  - Daily Receipts and Deposits
  - Credit Card Receipts and Processing
  - Cash Handling Oversight
  - Student Accounting
  - Daily POS Reconciliation
  - Assessment of Charges and Discounts
  - Funding and Refunding
  - Accounts Receivable and Collections



**Summary Results:** We identified 6 findings as a result of our procedures.

| Overall Assessment  | Satisfactory |
|---|--------------|
| <b>Objective A:</b> Determine whether internal controls over the Bursar's Office processes are designed to ensure that consistent processes are implemented and designed effectively to address the risks within the associated sub-processes and to ensure effective operations. | Satisfactory |
| <b>Objective B:</b> Ensure that controls over selected critical processes within the Bursar's Office processes are operating efficiently, effectively, and resulting in complete information, appropriate transactions, timely reporting, and active monitoring.                  | Satisfactory |
| <b>Objective C:</b> Evaluate user access and ensure that access to process and modify Bursar's Office transactions in Colleague and TouchNet is restricted to appropriate personnel and that access is periodically reviewed.   | Satisfactory |



## Finding 1 – Moderate – Consistent Cashiering Standard Operating Procedures

The Bursar's Office does not have consistent Standard Operating Procedures (SOP) in place for all locations. Documentation of their processes and procedures have recently been updated, but these procedures have not been reviewed nor approved by College Administration. Further, the SOPs that were provided were different at each campus location.

## Finding 2 – Moderate – Inconsistent Cash Reconciliation Review Documentation

Evidence of reviews of daily cash reconciliations is not consistently documented at all campuses to demonstrate the cash amounts in drawers/boxes are accurately accounted for. There is no evidence of a reconciliation or review performed by management at each location to verify the amount recorded by the cashier is accurate.



## Finding 3 – Low – Executing Daily Cash, Checks, and Deposit Procedures

The Bursar's office does not consistently follow the procedures in place to ensure that the daily cash and check deposits are reviewed by someone other than the preparer. For 21 of 25 of the cash deposit samples tested, there was no evidence of a review by someone other than the preparer, as required by the Bursar's office draft Standard Operation Procedures.

## Finding 4 – Moderate –Authorization of Tuition Waivers & Exemptions

There are not procedures in place to review and authorize a tuition waiver or exemption prior to being applied to a student's account by a cashier. Currently, all Cashiers can apply waivers to student accounts without obtaining any secondary authorization or verification. For 20 of the 25 samples selected, there was no evidence of review and approval of the exemption/waiver by an appropriate individual prior to posting the exemption to the student account.



## Finding 5 – Low – Documentation of Past Due Account Follow-ups

The Bursar's office does not consistently maintain documentation supporting the monitoring, review and follow-up of past due accounts for dual enrollment tuition. We identified where the documentation for the follow-up of the amounts past due is not consistently maintained by all reviewers.

# Finding 6 – Moderate – Bank and Credit Card Reconciliation Review, Support, and Adjustments

Upon inspection of the signed reconciliations, it was determined that the review for the bank and credit card reconciliations did not occur within 30 days of the period-end.

Additionally, credit card reconciliations did not have supporting documentation for all the adjusting items included in the reconciliations, and one bank reconciliation required a second reconciliation due to entries that were posted after the reconciliation was completed and reviewed.

# Advisory Consultation Over Safety and Security



The Safety and Security Advisory Consultation has been rescheduled to FY24.

## **Status**

- We have conducted a planning meeting with relevant Safety and Security personnel at the College and have distributed an Initial Document Request List.
- ➤ Key functions and sub-processes within Safety and Security process to be reviewed will include:
  - Security Compliance and Reporting
  - Emergency Management and Incident Response
  - DMC Police
- We plan to begin fieldwork during October 2023.

# Construction Management Advisory Consultation



## **Construction Management Advisory Procedures**

Procedures are completed and the report is being finalized.

## Scope

- The follow-up procedures were focused on the remediation efforts taken by Del Mar College Management to address the findings included in the 2022 Internal Audit Report over Construction Management.
- We assisted the College in updating SOPs that establish new procedures that address all 8 findings from the FY 2022 internal audit.

# Internal Audit Follow-Up Procedures Over Information Security



# **Status**

- Progress towards remediation was made for all findings.
- We will continue follow-up procedures in FY24 to validate the remediation of the remaining items.

# FY24 Internal Audit Plan



| Audit Area                                     | Risk Rating | Planned Timing                   |  |  |  |  |
|--|-------------|----------------------------------|--|--|--|--|
| 2024 Planned Internal Audits                   |             |                                  |  |  |  |  |
| Safety and Security Advisory (Resd. from FY23) | High        | September / October 2023         |  |  |  |  |
| Accounts Payable and Disbursements             | High        | February 2024                    |  |  |  |  |
| Financial Aid                                  | High        | March 2024                       |  |  |  |  |
| Database Administration / ERP                  | High        | Tentatively Rescheduled for FY25 |  |  |  |  |
| Institutional Research and Reporting           | Moderate    | May 2024                         |  |  |  |  |
| 2024 Planned Audit Follow-Up                   |             |                                  |  |  |  |  |
| Information Security                           | High        | April / May 2024                 |  |  |  |  |
| Bursar's Office                                | High        | June 2024                        |  |  |  |  |
| Payroll  | High        | June 2024                        |  |  |  |  |
| Construction Management                        | High        | May 2024                         |  |  |  |  |
| 2024 Planned Annual Requirements               |             |                                  |  |  |  |  |
| Project Management                             | N/A         | Ongoing                          |  |  |  |  |
| Update Risk Assessment                         | N/A         | June/July 2024                   |  |  |  |  |
| Annual and Quarterly Board Reports             | N/A         | Quarterly                        |  |  |  |  |

# **Annual Internal Audit Report**



Annual Internal Audit Report is due to state oversight agencies and posted on Del Mar College's website by November 1, 2023.

- > State Auditor's Office
- Governor's Office Budget and Policy Division
- Legislative Budget Board
- The report format is prescribed by the State Auditor's Office and includes the following required sections:
  - ➤ Compliance with Texas Government Code 2102.015
  - ➤ Internal Audit Plan for Fiscal Year 2023
  - ➤ Consulting Services and Nonaudit Services Completed
  - ➤ External Quality Assurance Review
  - Internal Audit Plan for Fiscal Year 2024
  - External Audit services performed for the College
  - Reporting Suspected Fraud and Abuse



# Discussion

Daniel Graves, CPA | Partner 512.609.1913 | <u>daniel.graves@weaver.com</u>

Brandon Tanous, CIA, CFE. CGAP, CRMA | Partner 832.320.3275 | <u>Brandon.Tanous@weaver.com</u>

IA # 04-2023 Internal Audit Follow-Up Procedures

Report Over Purchasing

Report Date: August 14, 2023

Issued: August 28, 2023



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Dr. Mark Escamilla Del Mar College 101 Baldwin Blvd. Corpus Christi, Texas 78404

This report presents the results of the internal audit follow-up procedures performed for Del Mar College (the College) during the period June 22, 2023, through August 14, 2023 related to the findings from the Internal Audit Report over Purchasing dated December 5, 2022.

The objective of these follow-up procedures was to validate that adequate corrective action has been taken in order to remediate the issues identified in the fiscal year 2022 Internal Audit Report over Purchasing.

To accomplish this objective, we conducted interviews with key personnel within the Purchasing Department and reviewed supporting documentation to validate actions taken. Procedures were performed remotely, an exit meeting was conducted on August 9, 2023, and additional validation procedures were completed on August 14, 2023

The following report summarizes the findings identified, risks to the organization, recommendations for improvement and management's responses.

Weaver and Siduell, L.S.P.

WEAVER AND TIDWELL, L.L.P.

Austin, Texas August 14, 2023

IA # 04-2023 Internal Audit Follow-Up Procedures Report Over Purchasing August 14, 2023 Issued: August 28, 2023

# **Background**

In Fiscal Year 2022, an internal audit over the College's Purchasing process was completed. The internal audit identified three areas of improvement related to Vendor Performance Monitoring, Informal, Sequential or Split Purchasing Monitoring, and Vendor File Completion.

The 2023 Internal Audit Plan included performing follow-up procedures to validate that Del Mar College Management has taken steps to address the internal audit findings.

# Follow-Up Objective and Scope

The follow-up procedures focused on the remediation efforts taken by Del Mar College Management to address the findings included in the 2022 Internal Audit Report over Purchasing, and to validate that appropriate corrective action had been taken.

We evaluated the corrective actions of the three internal audit findings identified in the 2022 Internal Audit Report over Purchasing.

# **Executive Summary**

The findings from the 2022 Internal Audit Report over Purchasing include those items that were identified and are considered to be non-compliance issues with Del Mar College's policies and procedures, rules and regulations required by law, or where there is a lack of procedures or internal controls in place to cover risks to Del Mar College. These issues could have significant financial or operational implications.

Through our interviews, review of documentation, observations and testing we determined that of the three prior findings, all were fully remediated.

A summary of our results is provided in the table below.

| Risk Rating | Total Findings | Remediated |
|-------------|----------------|------------|
| High        | -              | -          |
| Moderate    | 1              | 1          |
| Low         | 2              | 2          |
| Total       | 3              | 3          |

## Conclusion

Based on our evaluation, Del Mar College Management made significant efforts to remediate the three findings from the 2022 Internal Audit Report, including the development of new processes and procedures to address the risk areas identified.

# Detailed Follow-Up Results, Findings, Recommendations and Management Response

IA # 04-2023 Internal Audit Follow-Up Procedures Report Over Purchasing August 14, 2023 Issued: August 28, 2023

# Detailed Follow-Up Results, Recommendations and Management Response

Our procedures included interviewing key Purchasing personnel to gain an understanding of the corrective actions taken in order to address the findings identified in the 2022 Internal Audit Report over Purchasing, as well as examining existing documentation and performing testing in order to validate the effectiveness of those corrective actions implemented. We evaluated the existing policies, procedures, and processes in their current state.

## Finding 1 - MODERATE - Vendor Performance Monitoring:

The College does not have a formal and established process for contract managers to routinely evaluate vendors, their performance, and to work with Procurement Management to suspend vendors when necessary. Although monitoring is performed of capital leases and high risk contracts (such as those within construction or face public scrutiny), the monitoring is not formal, consistent, or applied universally. Complaints received by the Purchasing Department from the College's Contract Managers are typically informally received and are generally themed around misunderstandings or miscommunications and not from a vendor being inadequate or failing to meet the contracts terms and conditions that would result in suspension or disbarment. However, the vendor complaints and any action taken are not formally documented or included in the College's electronic records or Contract Management System for future review and evaluation.

#### **Results: Finding Remediated**

Standard Operating Procedures over the planned vendor performance monitoring process have been drafted by the Purchasing Team and vendor performance evaluations have been created and deployed for four vendors with results stored in Bonfire. Procedures include instructions and details on creating and configuring Vendor Performance Surveys and assessing results in Bonfire. Additionally, an announcement was sent to all DMC faculty and staff on August 11, 2023, notifying of the new expectations around completing vendor performance evaluations.

#### Finding 2 – LOW – Informal Serial, Sequential or Split Purchasing Monitoring:

The Purchasing Department does not have a consistent process in place to perform formal monitoring of potential serial, sequential or split purchases to ensure that purchase are not being split to circumvent controls. Although Buyers investigate questionable purchases on an ad hoc

basis and the Assistant Purchasing Director reviews each PO, there is no formal monitoring process or automated exception reports generated of purchases near established thresholds to trigger a need for further review. Previous processes implemented to formalize the monitoring were put on hold due to resource limitations and the manual nature of the monitoring.

**Results: Finding Remediated** 



IA # 04-2023 Internal Audit Follow-Up Procedures Report Over Purchasing August 14, 2023 Issued: August 28, 2023

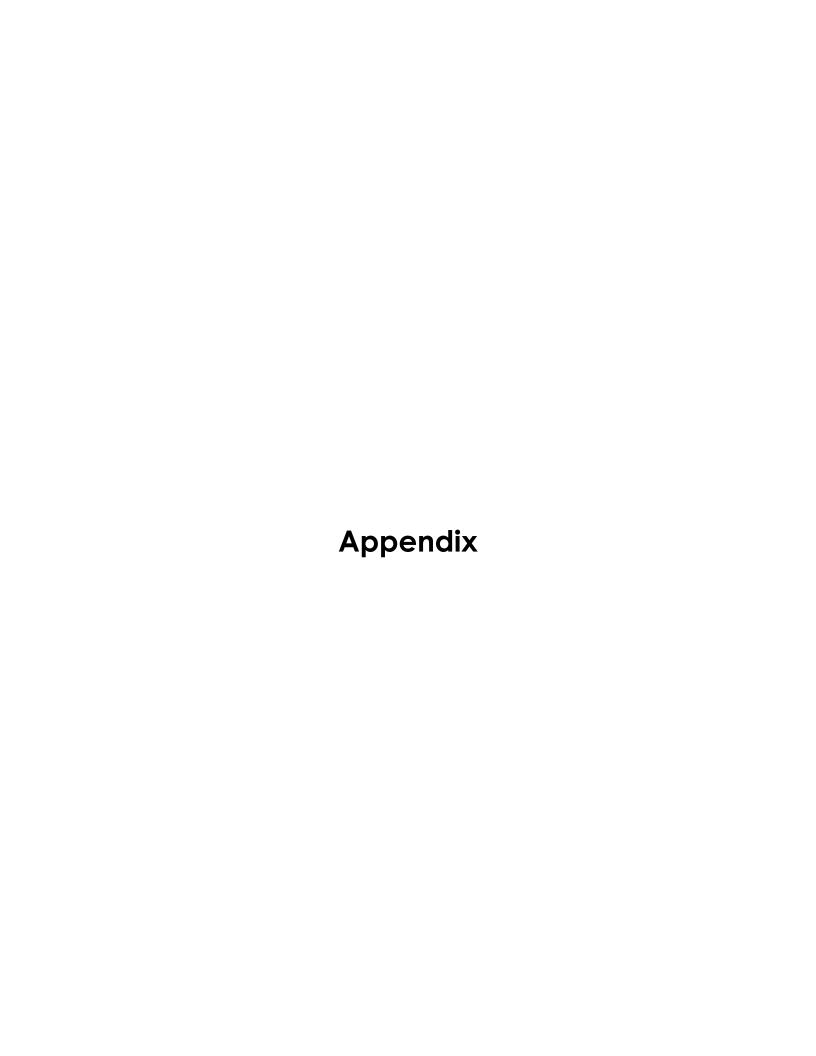
Standard Operating Procedures over the monitoring of split, serial, and sequential purchases have been created and implemented by the Purchasing Team. Formal monitoring is now conducted by the Purchasing Team on a monthly basis to ensure that purchases are not being split to circumvent controls. Every four weeks, a report of all vendor requisitions for the prior four weeks is generated within Colleague and exported to Excel by the Assistant Purchasing Director. The data in the report is analyzed and filtered in preparation for the monthly meeting with all Buyers. During this meeting, the Assistant Purchasing Director presents the filtered and marked-up report and discusses appropriateness of the purchases in question with the Buyers. Details and explanations from the Buyers are added as notes to the Excel file and if necessary, questionable purchases are investigated further.

#### Finding 3 – LOW – Vendor File Completion:

We selected and reviewed new vendor files during our scope period of January 1, 2021 through May 31, 2022 to verify each vendor file contained a W-9, a completed Vendor Information Form, and the vendor was appropriately reviewed and approved prior to being included in the Vendor Master File. Of the 20 samples of new vendors evaluated, two vendors provided their W-9 but did not complete and return the Vendor Information Form resulting in an incomplete vendor file. The vendors declined to complete the Vendor Information Form, but since the vendors had long standing relationships with the College, it was considered low risk and no further action was requested or taken. As a result, the completion of the Vendor Information Form is performed inconsistently.

## **Results: Finding Remediated**

An announcement was sent to all DMC faculty and staff on May 1, 2023 notifying of the new expectations around ensuring complete vendor profiles. We performed testing procedures over newly added vendors since this email correspondence was sent and selected a sample of two vendors to verify that their files were complete. Upon examination of the vendors' files, we determined that all required information, including completed W-9's, Vendor Information Forms, and Conflict of Interest Questionnaires, were received and retained by the College.



IA # 04-2023 Internal Audit Follow-Up Procedures Report Over Purchasing August 14, 2023 Issued: August 28, 2023

The appendix defines the approach and classifications utilized by Internal Audit to assess the residual risk of the area under review, the priority of the findings identified, and the overall assessment of the procedures performed.

# **Risk Ratings**

Residual risk is the risk derived from the environment after considering the mitigating effect of internal controls. The area under audit has been assessed from a residual risk level utilizing the following risk management classification system.

High

High risk findings have qualitative factors that include, but are not limited to:

- Events that threaten the College's achievement of strategic objectives or continued existence
- Impact of the finding could be felt outside of the College or beyond a single function or department
- Potential material impact to operations or the College's finances
- Remediation requires significant involvement from senior College management

Moderate

Moderate risk findings have qualitative factors that include, but are not limited to:

- Events that could threaten financial or operational objectives of the College
- Impact could be felt outside of the College or across more than one function of the College
- Noticeable and possibly material impact to the operations or finances of the College
- Remediation efforts that will require the direct involvement of functional leader(s)
- May require senior College management to be updated

Low

Low risk findings have qualitative factors that include, but are not limited to:

- Events that do not directly threaten the College's strategic priorities
- Impact is limited to a single function within the College
- Minimal financial or operational impact to the organization
- Require functional leader(s) to be kept updated, or have other controls that help to mitigate the related risk

IA# 2023-02 Internal Audit Report over Bursar's Office

Report Date: August 15, 2023 Issued: September 20, 2023



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Dr. Mark Escamilla Del Mar College 101 Baldwin Blvd. Corpus Christi, Texas 78404

This report presents the results of the internal audit procedures performed for Del Mar College (DMC or The College) during the period April 26, 2023, through July 25, 2023, relating to the Bursar's Office.

The objectives of this internal audit were to evaluate the design and effectiveness of Del Mar College's Bursar's Office processes as follows:

- Determine whether internal controls over the Bursar's Office processes are designed to ensure that consistent processes are implemented and designed effectively to address the risks within the associated sub-processes in order to ensure effective operations.
- Ensure that controls over selected critical processes within the Bursar's Office processes are operating efficiently, effectively, and result in complete, accurate and timely information.
- Determine that user access to the Colleague and TouchNet system is appropriately restricted, and that access is periodically reviewed.

Our procedures included interviewing key Bursar's Office personnel who have responsibilities in managing and/or monitoring the Bursar's Office activities to gain an understanding of the current processes in place, examining existing documentation, and evaluating the internal controls over the process. We evaluated the existing policies, procedures, and processes in their current state. Our coverage period was from October 1, 2021, through March 31, 2023.

The following report summarizes the findings identified, risks to Del Mar College's Bursar's Office, recommendations for improvement and management's responses.

Weaver and Iduell, L.L.P.

WEAVER AND TIDWELL, L.L.P.

Austin, Texas September 20, 2023

IA# 2023-02 Internal Audit Report over Bursar's Office August 15, 2023 Issued: September 20, 2023

# **Background**

Del Mar College is a multi-campus community college providing access to affordable degree and certificate programs, customized workforce development, and continuing education opportunities for the successful educational advancement and lifelong learning needs of our communities.

The Bursar's Office at Del Mar College is primarily responsible for processing Student Accounting including Accounts Receivables and Collections, Daily Receipting and Deposits, Credit Card Processing, and Cash Handling Oversight. The Bursar's Office has offices with employees at three different Campus locations including the Heritage Campus – Harvin Center and Heldenfels Administration Building, Windward Campus – Coleman Center and Oso Creek Campus – Main Building.

Each student directly or indirectly interacts with the College's Bursar processes, as the Bursar's Office provides cashiering services for the College. Bursar activities include processing the daily cash, and credit cards transactions for tuition and fees, compiling and recording the receipts in the College's financial system, and performing the daily deposits of cash/checks. The Bursar's Office is also responsible for overseeing student billing and payments, issuing refunds, managing student accounts and keeping students appraised of outstanding bills, payment histories and other financial issues.

# **Audit Objective and Scope**

The audit included an evaluation of risks and internal controls in place related to Del Mar College's Bursar's Office processes. We reviewed the procedures in place for appropriate risk and regulatory coverage and compliance to ensure efficient and effective processes related to the Bursar's Office. Key functions and sub-processes within the Bursar's Office activities evaluated included:

- Daily Receipts and Deposits
- Credit Card Receipts and Processing
- Cash Handling Oversight
- Student Accounting
- Daily POS Reconciliation
- Student Account Receivable and Collections

Our procedures were designed to ensure relevant risks were covered and verified the following:

## Daily Cash Receipts and Deposits

- Cash and checks are appropriately recorded and reviewed
- Cash and checks are maintained in a secure location until deposited with the bank
- Access to secure locations is limited to authorized individuals
- Separate cash drawers are distributed and collected daily from each cashier
- Cash and check receipt records are reconciled to bank deposits
- Cash and check receipts are appropriately recorded and reconciled in the financial system.
- Voids and refunds are appropriately documented, reviewed, and approved
- Cash and check receipts are reconciled to receipt records on a daily basis
- Deposits are performed in a timely manner by appropriate personnel

IA# 2023-02 Internal Audit Report over Bursar's Office August 15, 2023 Issued: September 20, 2023

## Credit Card Receipts and Processing

- Credit card receipt transactions are recorded promptly and accurately
- Daily batches reconciliations by Merchant are reviewed by the appropriate individuals timely
- Reconciliations to the Credit Card Application are performed consistently and timely

## Cash Handling and Oversight

- Cash receipts and records are monitored and reconciled to collection reports
- Reconciliations are performed and reviewed by appropriate individuals
- Cash collection locations at the College are routinely monitored and cash collected is reconciled daily

#### Student Accounting

- Student accounts are charged the correct amount for tuitions and fees
- Student accounts are collected timely
- Refunds are appropriately provided according to the established prorated amounts and timeline
- Exemptions and waivers are reviewed, approved, and accurately recorded
- Student accounts are reviewed and reconciled timely

#### Daily POS Reconciliation

- Closeout of the POS is performed daily
- POS balances to cash and credit card collections are appropriately monitored and reconciled

#### Student Accounts Receivable and Collections

- Past due accounts are reviewed timely and adequately managed
- Student accounts with delinquent payments are appropriately flagged
- The allowance for student receivables bad debt is established, adequate, and/or periodically reviewed for reasonableness
- Collegiate high school collections are appropriately monitored, reviewed, and reconciled
- Collegiate high school accounts that have outstanding balances are appropriately identified and collected

## The objectives of this internal audit were as follows:

- A. Determine whether internal controls over the Bursar's Office processes ensure that consistent processes are implemented and designed effectively to address the risks within the associated sub-processes and to ensure effective operations.
- B. Ensure that controls over selected critical processes within the Bursar's Office processes are operating efficiently, effectively, and resulting in complete information, appropriate transactions, timely reporting, and active monitoring.
- C. Determine that user access to the Colleague and TouchNet system is appropriately restricted, and that access is periodically reviewed.

Our procedures included interviewing key personnel within the departments of the College that have responsibilities in managing and/or monitoring the Bursar's Office to gain an understanding of the current processes in place, examining existing documentation, and evaluating the internal controls over the process. We evaluated the existing policies, procedures, and processes in their current state. Our coverage period was from October 1, 2021, through March 31, 2023.

IA# 2023-02 Internal Audit Report over Bursar's Office August 15, 2023 Issued: September 20, 2023

# **Executive Summary**

Through our interviews, evaluation of internal control design and testing of processes we identified six findings. The listing of findings and observations include those items that have been identified and are considered to be non-compliance issues with documented Bursar's Office policies and procedures, rules and regulations required by law, or where there is a lack of procedures or internal controls in place to cover risks to Del Mar College's Bursar's Office. These issues could have significant financial or operational implications.

A summary of our results, by audit objective, is provided in the table below. See the Appendix for an overview of the Assessment and Risk Ratings.

Satisfactory

**OVERALL ASSESSMENT** 

| SCOPE AREA   | RESULT   | RATING       |
|--|--|--------------|
| Objective A: Determine whether internal controls over the Bursar's and designed effectively to address the risks within Office processes are designed to ensure that consistent processes are implemented the associated subprocesses in order to ensure effective operations. | <ul> <li>We identified 26 controls to be in place in the Bursar's Office processes. However, there are opportunities to strengthen the processes and control environment including:</li> <li>Updating the Bursar's Office current SOPs to ensure approval by College Administration as well as, consistency and unification of all procedures</li> <li>Implement a daily cash reconciliation by the cashier. Management should perform an accuracy review of cash received prior to next-day deposits</li> <li>Implement a process for ensuring that reconciliations are accurate and timely, including dated signatures and completion of daily cash intake forms</li> <li>Implement a formal process for review and approval of waivers, with evidenced dual sign-off that is dated and performed by employees with appropriate authority.</li> <li>Implement a complete, consistent review and monitoring across all campuses of past due accounts</li> </ul> | Satisfactory |

IA# 2023-02 Internal Audit Report over Bursar's Office August 15, 2023

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Satisfactory

Satisfactory

**OVERALL ASSESSMENT** 

| SCOPE AREA   | RESULT  | RATING       |
|--|---|--------------|
| Objective B: Ensure that controls over selected critical processes within Bursar's Office processes are operating efficiently, effectively, and result in complete, accurate and timely information. | Controls appear to be in place; however, all are not consistently executed. We identified the following opportunities for improvement:  Consistently reviewing all bank and credit card reconciliations within 30 days of month's end | Satisfactory |
| Objective C: Determine that user access to the   | Controls appear to be in place for granting user access; however user   |              |

Other opportunities for improvement were identified through our interviews, evaluation of internal control design and transactional testing. These observations include those items that are not considered to be non-compliance issues with documented College policies and procedures. These are considered process improvement observations and the intent for the recommendations are to strengthen current College processes and controls. These observations were provided to management separately

access is not reviewed at least annually to

ensure users have appropriate access.

# Conclusion

Colleague and TouchNet system is

appropriately restricted, and that

access is periodically reviewed.

Based on our evaluation, the Bursar's Office processes have procedures and controls in place designed to mitigate risks within the significant processes. However, we identified opportunities to strengthen the processes and effectiveness of controls within the Bursar's Office.

The Bursar's Office Management should update their current Standard Operating Procedures to be consistent across all campuses regarding cash handling procedures. The Bursar's Office Management should also implement formal and consistent procedures for approval by College Administration and periodically review and update the policies and procedures.

Additionally, the Bursar's Office Management should consistently and timely execute the review of daily cash reconciliations, as well as monthly cash and credit card reconciliations. All reconciliations and reviews should be documented and be completed and reviewed within one month of a period close.

Additionally, Management should implement a formal process for the review and approval of waivers, prior to the waiver being applied to the student's account, as evidenced by a sign-off that is dated and performed by employees with appropriate authority.

# Detailed Procedures Performed, Findings, Recommendations and Management Response

IA# 2023-04 Internal Audit Report over Bursar's Office August 15, 2023 Issued: September 20, 2023

# Detailed Procedures Performed, Findings, Recommendations and Management Response

Our procedures included interviewing key personnel within the College that have responsibilities in managing and/or monitoring Bursar's Office processes to gain an understanding of the current procedures in place, examining existing documentation, and evaluating the internal controls. We evaluated the existing policies, procedures, and processes in their current state during the coverage of October 1, 2021, through March 31, 2023.

# Objective A: Design of Internal Controls

Determine whether internal controls over the Bursar's Office processes are designed to ensure that consistent processes are implemented and designed effectively to address the risks within the associated sub-processes in order to ensure effective operations.

**Procedures Performed:** We conducted interviews with key personnel within the departments of the College that have responsibilities in managing Bursar's Office processes to gain an understanding of the current procedures in place, examined existing documentation, and evaluated the internal controls. We evaluated the existing policies, procedures, and processes in their current state. We documented our understanding of the processes and identified internal controls over the following sub processes:

- Daily Receipts and Deposits
- Credit Card Receipts and Processina
- Cash Handling Oversight
- Student Accounting
- Daily POS Reconciliation
- Student Account Receivable and Collections

We evaluated the controls identified against expected controls to determine whether the identified processes and internal controls are sufficiently designed to mitigate the critical risks associated with the Bursar's Office sub-processes. We identified any unacceptable risk exposures due to gaps in the existing control structure as well as opportunities to strengthen the effectiveness and efficiency of the existing procedures.

**Results:** We identified 26 controls in place over the significant activities within the Bursar's Office processes. We identified five areas for improvement that should be made in the processes, policies and procedures.

IA# 2023-04 Internal Audit Report over Bursar's Office August 15, 2023

Issued: September 20, 2023

| Process Area                              | Control Coverage | Findings                 |
|---|------------------|--------------------------|
| Standard Operating Procedures             | 1                | Finding 01               |
| Daily Cash Receipts and Deposits          | 11               | Finding 02<br>Finding 03 |
| Credit Card Receipts and Processing       | 2                | -                        |
| Cash Handling and Oversight               | 3                | -                        |
| Student Accounting                        | 6                | Finding 04               |
| Student Accounts Receivable & Collections | 3                | Finding 05               |
| Total:                                    | 26               |                          |

#### 1. Finding 1 – Moderate – Consistent Cashiering Standard Operating Procedures

The Bursar's Office does not have consistent Standard Operating Procedures (SOP) in place for all locations. Documentation of their processes and procedures have recently been updated, but these procedures have not been reviewed nor approved by College Administration. Further, the SOPs that were provided were different at each campus location.

- Procedures for evidencing the review of past due balances on student accounts are not consistent
- Documentation outlining the standard operating procedures for cashiering at each of the campuses is inconsistent
- There is not a consistent formal process for approval of the SOPs by College Administration
- There is no scheduled review on a periodic basis for updates to the SOPs

**Recommendation:** DMC Bursar's Office Management should formalize and update their current Standard Operating Procedures and compile them into one unified SOP document that contains all Bursar's Office procedures. The Standard Operating Procedures should be consistent across all campuses and include, but are not limited to:

- Implementation of a process for a consistent timely review of student accounts for past dues and past due procedures for third-party involved and their relationship with the college
- Implementation of a consistent overall process for Cash Handling for all Campus locations, that includes identification of daily cashiering duties, individuals responsible with access to cash, DMC Money turn-in slips and procedures or money turn-in.
- Implementation of formal procedures that are approved by College Administration.
- Reviews and updates to the procedures on a periodic basis

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**Management Response:** Management agrees. We will review the standard operating procedure documentation and consolidate the procedures to have a standard set of procedures in place across all campus locations. If a campus requires alternative procedures, those procedures will be included in the new documentation. We will review and approve the SOPs on an annual basis.

Responsible Party: Director of Financial Services

Implementation Date: March 2024

## 2. Finding 2 – Moderate – Inconsistent Cash Reconciliation Review Documentation

Evidence of reviews of daily cash reconciliations is not consistently documented at all campuses to demonstrate the cash amounts in drawers/boxes are accurately accounted for. There is no evidence of a reconciliation or review performed by management at each location to verify the amount recorded by the cashier is accurate.

**Recommendation:** DMC Bursar's Office Management should document the performance and review of the daily cash reconciliation that is performed by the cashier in order to evidence the verification. of the accuracy of the daily deposits and amounts recorded in Colleague.

**Management Response:** Management agrees. As part of the revised SOPs, we will include procedures to reconcile cash drawers daily and require a second person to review the reconciliation and sign-off on the reconciliation.

**Responsible Party:** Director of Financial Services

Implementation Date: March 2024

# 3. Finding 3 – Low – Executing Daily Cash, Checks, and Deposit Procedures

The Bursar's office does not consistently follow the procedures in place to ensure that the daily cash and check deposits are reviewed by someone other than the preparer. For 21 of 25 of the cash deposit samples tested, there was no evidence of a review by someone other than the preparer, as required by the Bursar's office draft Standard Operation Procedures.

**Recommendation:** DMC Bursar's Office Management should implement a process for ensuring that reconciliations are accurate and timely, which should include the following:

- Reviews are performed and evidenced by dated sign-off
- Daily cash intake forms are completed by every cashier daily and verified by management for accuracy
- Review of the reconciliations by a second individual are evidenced.

IA# 2023-04 Internal Audit Report over Bursar's Office August 15, 2023 Issued: September 20, 2023

**Management Response:** Management agrees. As part of the revised SOPs, we will include procedures that will require a second person to review the daily cash and check deposits. We will also reiterate this requirement will all Bursar's Office personnel.

**Responsible Party:** Director of Financial Services

Implementation Date: March 2024

## 4. Finding 4 - Moderate - Authorization of Tuition Waivers & Exemptions

There are not procedures in place to review and authorize a tuition waiver or exemption prior to being applied to a student's account by a cashier. Currently, all Cashiers can apply waivers to student accounts without obtaining any secondary authorization or verification. For 20 of the 25 samples selected, there was no evidence of review and approval of the exemption/waiver by an appropriate individual prior to posting the exemption to the student account.

**Recommendation:** DMC Bursar's Office Management should implement a process for the review and approval of waivers, prior to the waiver being applied to the student's account, as evidenced by a sign-off that is dated and performed by employees with appropriate authority.

**Management Response:** Management agrees. We have modified the user access in the system to prevent all Cashiers from applying waivers/exemptions to student accounts. New access permissions only allow Supervisors to post waivers/exemptions after they have verified the student eligibility. Although a complete review of supporting documentation is performed by the Bursar and the end of each term, the new access restrictions provide a better internal control environment.

**Responsible Party:** Director of Financial Services

Implementation Date: August 2023

# Finding 5 – Low – Documentation of Past Due Account Follow-ups

The Bursar's office does not consistently maintain documentation supporting the monitoring, review and follow-up of past due accounts for dual enrollment tuition.

We obtained the workbooks used to track the amounts billed to various high schools for dual enrollment, by semester, to verify the follow-up on the accounts receivable. We identified where the documentation for the follow-up of the amounts past due is not consistently maintained by all reviewers.

**Recommendations:** DMC Bursar's Office Management should implement requirements to document the review and monitoring of past due accounts across all campuses to ensure timely actions and appropriate flagging of accounts with delinquent payments.

IA# 2023-04 Internal Audit Report over Bursar's Office August 15, 2023

Issued: September 20, 2023

**Management Response:** Management agrees. As part of the revised SOPs, we will include procedures that will require the personnel performing the past due account monitoring to sign-off an notate the follow-up activity performed for past due accounts.

**Responsible Party:** Director of Financial Services

Implementation Date: August 2023

# **Objective B: Control Testing**

Ensure that controls over selected critical processes within the Bursar's Office processes are operating efficiently, effectively, and resulting in complete information, appropriate transactions, timely reporting, and active monitoring.

#### <u>Cash Handling and Oversight – Bank and Credit Card Reconciliations</u>

Procedures Performed: Weaver obtained a copy of all monthly bank and credit card
reconciliations performed within the testing period of October 1, 2021, through March 31,
2023. We judgmentally selected a sample of seven bank reconciliations and seven credit
card reconciliations occurring within the testing period to verify that they occurred
accurately and timely.

**Results:** We identified that reconciliations are not consistently reviewed within 30 days of the period end. We also identified that the accounting department does not close financial periods which allows journal entries to be posted to periods after reconciliations have been completed.

# Finding 6 – Moderate – Bank and Credit Card Reconciliation Review, Support, and Adjustments

Upon inspection of the signed reconciliations, it was determined that the review for the bank and credit card reconciliations did not occur within 30 days of the period-end.

Additionally, credit card reconciliations did not have supporting documentation for all the adjusting items included in the reconciliations.

### Credit Card Reconciliations:

- 4 out of 7 samples did not have support maintained with the recon for all reconciling items
- 2 out of 7 samples were not reviewed within 30 days of the period end.

## Bank Reconciliations:

 1 out of 7 samples had a reconciliation performed within 30 day of period end. However, journal entries were posted to the account, after the reconciliations had been completed and reviewed, requiring a second reconciliation for the back-dated entry.

IA# 2023-04 Internal Audit Report over Bursar's Office August 15, 2023 Issued: September 20, 2023

**Recommendation:** DMC Bursar's Office Management should implement procedures to review all bank and credit card processing reconciliations within 30 days of the month's end. All reconciling items should have supporting documentation included with the reconciliation. Additionally, DMC should establish a policy to post adjusting entries to the current period once accounts have been reconciled to prevent journal entries being posted to accounting periods that have previously been reconciled.

**Management's Response:** Management agrees. We will review the Bank and Credit Card Reconciliation Procedures and update the procedures to include the requirements that the Bank and Credit Card Reconciliations be reviewed within 30 days of the month's end. Also included in the update of these procedures, will be the requirement that reconciling items must include the proper supporting documentation with the bank reconciliation.

Additionally, we will review the Business Office Procedures for the posting of adjusting journal entries to the current month period or to previous month time periods. We will update these procedures to include the requirement that adjusting entries be posted to the current period. If during this review process it is determined that, in order to be in compliance with the rules and regulations of an external agency, an adjusting entry is required to be posted to a prior month period in which a bank reconciliation has been previously completed, the procedures for the time periods of posting adjusting entries will be updated to include these instances of prior period adjustment requirements. Also, to be included in the procedure update, will be the description of the proper authorization process of the prior period adjustment of a previously reconciled time period.

Responsible Party: Controller Implementation Date: March 2024

## **Daily Cash Receipts and Deposits**

1. **Procedures Performed:** Weaver obtained a copy of all weekdays reported within the testing period of October 1, 2021, through March 31, 2023. We randomly selected and reviewed a sample of 25 weekdays to verify that cash and check receipts were appropriately and accurately recorded, reviewed, and reconciled to the financial system.

**Results:** Reconciliations of the credit card reconciliations do not consistently contain details regarding evidence of review and support for the various reconciling items.

Finding 6 – Moderate – Bank and Credit Card Reconciliation Review, Support, and Adjustments

IA# 2023-04 Internal Audit Report over Bursar's Office August 15, 2023 Issued: September 20, 2023

## **Student Accounts Receivable & Collections**

2. Procedures Performed: Weaver obtained a copy of all past due accounts recorded within the testing period of October 1, 2021, through March 31, 2023. We judgmentally selected and reviewed 20 past due accounts to verify that they were reviewed timely and adequately managed.

**Results:** We identified that evidence of the review and monitoring of past due accounts is not maintained.

Finding 5 – Low – Documentation of Past Due Account Follow-ups

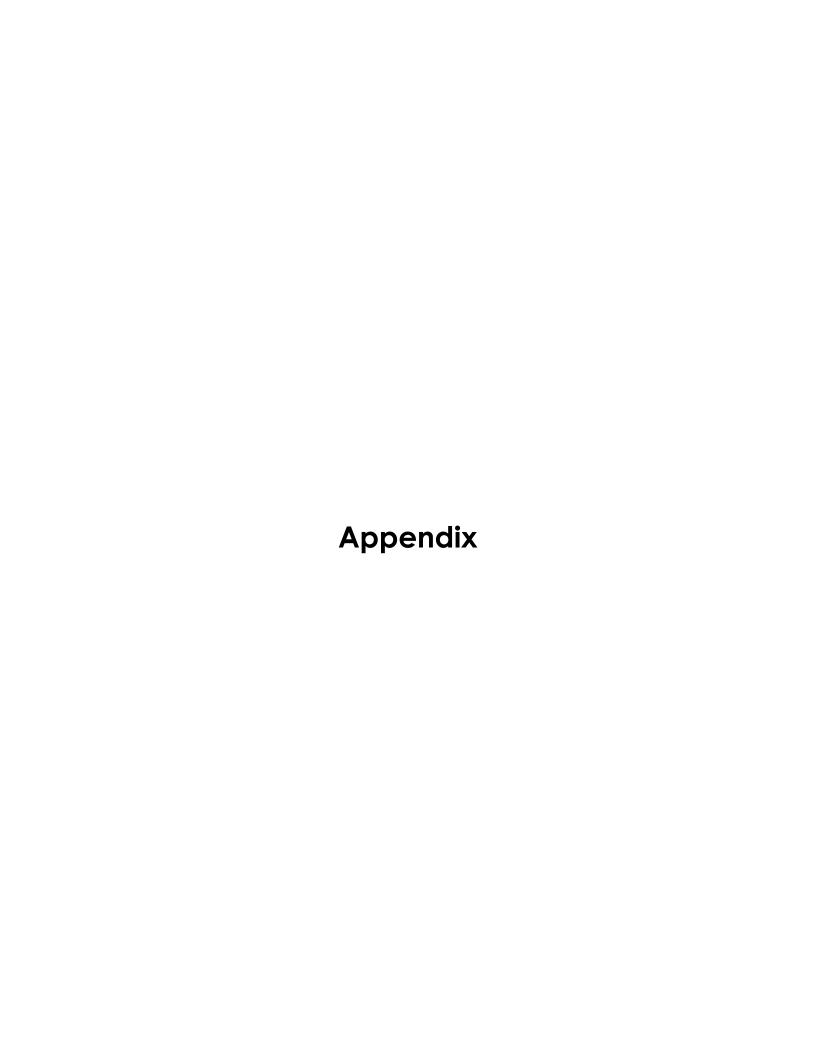
# **Objective C: System Access**

Determine that user access to the Colleague and TouchNet system is appropriately restricted, and that access is periodically reviewed.

Procedures Performed: We obtained access and reviewed screens of personnel with user
access to process and modify Bursar's Office transactions in Colleague and TouchNet to
ensure restriction was granted to appropriate personnel and that access was periodically
reviewed by management.

**Results:** We identified that user access to Bursar's Office screens for Colleague and TouchNet is not periodically reviewed by Management. This has been identified in prior IT audits and is referenced in this report, but not identified as a separate finding.

Finding – High – Security Administration/Periodic Review of Access Appropriateness (from ITGC Internal Audit)



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The appendix defines the approach and classifications utilized by Internal Audit to assess the residual risk of the area under review, the priority of the findings identified, and the overall assessment of the procedures performed.

# **Report Ratings**

The report rating encompasses the entire scope of the engagement and expresses the aggregate impact of the exceptions identified during our test work on one or more of the following objectives:

- Operating or program objectives and goals conform with those of Del Mar College
- Del Mar College objectives and goals are being met
- The activity under review is functioning in a manner which ensures:
  - o Reliability and integrity of financial and operational information
  - o Effectiveness and efficiency of operations and programs
  - Safeguarding of assets
  - o Compliance with laws, regulations, policies, procedures, and contracts

The following ratings are used to articulate the overall magnitude of the impact on the established criteria:

Strong

The area under review meets the expected level. No high risk rated findings and only a few moderate or low findings were identified.

Satisfactory

The area under review does not consistently meet the expected level. Several findings were identified and require routine efforts to correct, but do not significantly impair the control environment.

Unsatisfactory

The area under review is weak and frequently falls below expected levels. Numerous findings were identified that require substantial effort to correct.

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# **Risk Ratings**

Residual risk is the risk derived from the environment after considering the mitigating effect of internal controls. The area under audit has been assessed from a residual risk level utilizing the following risk management classification system.

# High

High risk findings have qualitative factors that include, but are not limited to:

- Events that threaten the Del Mar College's achievement of strategic objectives or continued existence
- Impact of the finding could be felt outside of Del Mar College or beyond a single function or department
- Potential material impact to operations or the Del Mar College's finances
- Remediation requires significant involvement from Del Mar College management

## Moderate

Moderate risk findings have qualitative factors that include, but are not limited to:

- Events that could threaten financial or operational objectives of Del Mar College
- Impact could be felt outside of the Del Mar College or across more than one function of the agency
- Noticeable and possibly material impact to the operations or finances of Del Mar College
- Remediation efforts that will require the direct involvement of functional leader(s)
- May require senior Del Mar College management to be updated

#### Low

Low risk findings have qualitative factors that include, but are not limited to:

- Events that do not directly threaten the Del Mar College's strategic priorities
- Impact is limited to a single function within Del Mar College
- Minimal financial or operational impact to Del Mar College
- Require functional leader(s) to be kept updated, or have other controls that help to mitigate the related risk

DRAFT FOR DISCUSSION PURPOSES ONLY-Subject to final review and possible revision and should not be relied upon or distributed.

# **Del Mar College**

Fiscal Year 2023 Annual Internal Audit Report August 31, 2023



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#### DRAFT FOR DISCUSSION PURPOSES ONLY-

# I. Compliance with Texas Government Code, Section 2102.015: Posting the Shreighal Audit Plan, Vinternal Audit

Texas Government Code, Section 2102.015 requires state agencies and higher education institutions, as defined in the statute, to post their Internal Audit Plan, Internal Audit Annual Report, and other audit information on the Internet.

The Del Mar College (Del Mar or the College) will post this report and its 2024 Internal Audit Plan on its website at <a href="https://www.delmar.edu">www.delmar.edu</a> on or before November 1, 2023. Del Mar College's Board of Regents reviewed and approved the Annual Internal Audit Report as part of their meeting held on October 3, 2023.

Del Mar will update its posting with a detailed summary of the weaknesses, deficiencies, wrongdoings or other concerns raised by performance of the audit plan as they are identified or by November 1, 2023. Del Mar will also update the posting with the corrective action taken to address the weaknesses, deficiencies, wrongdoings or other concerns identified in the internal audits.

#### II. Internal Audit Plan for Fiscal Year 2023

The internal audits planned and performed for Fiscal Year 2023 were selected to focus on follow-up procedures and closing internal audit findings identified in prior years' reports.

| Internal Audit  | Report # | Report Date        | Current Status   |
|---|----------|--------------------|--|
| Internal Audit over<br>Payroll                        | 2023-01  | June 7, 2023       | The report was issued July 6, 2023.  Follow-up procedures to verify corrective action has been implemented for the findings will be included in the 2024 Internal Audit Plan.                  |
| Internal Audit over<br>Bursars Office                 | 2023-02  | August 15,<br>2023 | The report was issued September 20, 2023.  Follow-up procedures to verify corrective action has been implemented for the findings will be included in the 2024 Internal Audit Plan.            |
| Internal Audit over<br>Safety and Security            | NA       | NA                 | The internal audit was rescheduled to occur during the FY2024 Internal Audit Plan  |
| Internal Audit Follow-Up<br>over Purchasing           | 2023-04  | August 14,<br>2023 | The report was issued August 28, 2023.  Our follow-up procedures identified that all prior findings were remediated or closed.   |
| Internal Audit Follow-up<br>over Information Security | 2023-05  | July 25, 2023      | The report was issued August 23, 2023.  Follow-up procedures to verify corrective action has been implemented for the remaining open findings will be included in the 2024 Internal Audit Plan |

The College's rules and policies for the purchasing of goods and services were assessed during the Follow-up Internal Audit of the Purchasing Processes.

## III. Consulting Services and Nonaudit Services Completed

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As defined in the Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing and the Government Auditing Standards, 2018 Revision, Sections 3.64 – 3.106, Weaver performed consulting services related to the policies and procedures over construction management. We advised and assisted College management with updating policies and procedures to address the internal audit findings that were identified in the FY 2022 internal audit report.

#### IV. External Quality Assurance Review

In accordance with professional standards, and to meet the requirements of the Texas Internal Auditing Act, Internal Audit is required to undergo an external quality assurance review at least once every three years. Weaver's review was performed in September 2022.



# Report on Firm's System of Quality Control

September 19, 2022

To the Partners of Weaver & Tidwell, L.L.P. and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Weaver & Tidwell,

L.L.P. (the firm) applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended May 31, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a system review as described in the Standards may be found at <a href="https://www.aicpa.org/prsummary">www.aicpa.org/prsummary</a>. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

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# Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

# Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the firm's system of quality control based on our review.

# Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act; audits of employee benefit plans, an audit performed under FDICIA, and examinations of service organizations [SOC 1 and SOC 2 engagements].)

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

# Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Weaver & Tidwell, L.L.P. applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended May 31, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Weaver & Tidwell, L.L.P. has received a peer review rating of *pass*.

**Eide Bailly LLP** 

Esde Sailly LLP

August 31, 2023

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#### V. Internal Audit Plan for Fiscal Year 2024

The Internal Audit Plan was submitted to the Board of Regents. The College Board of Regents approved the plan on October 3, 2023. Below is the Fiscal Year 2024 Internal Audit Plan submitted to the College's Board of Regents based on the results of the 2022 Internal Audit Risk Assessment. The approved internal audit plan will be submitted to the State Auditor's Office on or before November 1, 2023.

| Fiscal Year 2024 Internal Audit Plan |                     |                    |  |
|--------------------------------------|---------------------|--------------------|--|
| Audit Area                           | 2022 Risk<br>Rating | Estimated<br>Hours |  |
| Safety and Security                  | High                | 250                |  |
| Accounts Payable and Disbursements   | High                | 250                |  |
| Financial Aid                        | High                | 300                |  |
| Institutional Research and Reporting | Moderate            | 250                |  |

Planned follow-up procedures for fiscal year 2024 to verify and communicate with Management the remediation efforts of prior Internal Audit Recommendations.

| Fiscal Year 2024 Follow-up Procedures |                     |                    |  |
|---------------------------------------|---------------------|--------------------|--|
| Audit Area                            | 2022 Risk<br>Rating | Estimated<br>Hours |  |
| Information Security                  | High                | 60                 |  |
| Construction Management               | High                | 150                |  |
| Bursar's Office                       | High                | 150                |  |
| Payroll                               | High                | 30                 |  |

As part of the risk assessment, the College assesses the probability and impact of the following risk categories across all significant activities of the college, which include the information technology risks and considerations related to Title 1, Texas Administrative Code, Chapter 202:

- financial stability and fraud risk
- demographic and economic risk
- student relations, operations, and compliance risk
- information technology risk
- reputational risk

Taking into consideration the input from the College management, all significant activities are assigned a risk rating for probability and impact related to each risk category. The overall risk rating (High, Moderate or Low) is assigned to each significant activity based on the activity's average risk rating.

The internal audit plan is developed by considering risk ratings for each significant activity and prioritizing "High" risk activities. The risk assessment is updated on an annual basis.

August 31, 2023

DRAFT FOR DISCUSSION PURPOSES ONLY-Fiscal Year 2023 Internal Audit Report to final review and possible revision and should not be relied upon or distributed.

The 2022 Internal Audit Risk Assessment resulted in 15 Significant Activities rated as "High" risk. Seven of the 15 Significant Activities are not included in the Fiscal Year 2024 Internal Audit Plan. Those activities are as follows:

- Information Technology Services
- Database Administration/ERP
- **Executive Office**
- Grant Management
- **Budget and Planning**
- Admission/Reaistrar
- Application Selection/Development

#### VI. External Audit Services Procured in Fiscal Year 2023

Del Mar College engaged Collier, Johnson & Woods, P.C., a certified public accounting firm, during Fiscal Year 2023 as its external auditors.

#### VIII. Reporting Suspected Fraud and Abuse

To ensure compliance with Article IX, Section 7.09, the General Appropriations Act (86th Legislature) and for the coordination of investigations to ensure compliance with Texas Government Code, Section 321.022, employees are encouraged to report suspected fraud, waste and abuse involving state resources to College Management or directly to the SAO at https://sao.fraud.state.tx.us/hotline.aspx.

If the President of the College believes that any money received from the state is lost, misappropriated, or misused, or that other fraudulent or unlawful conduct has occurred in relation to the operation of the College, the President and CEO, or their designee will report the reason and basis for that belief to the State Auditor's Office. If any investigation is deemed necessary, the President and College staff will coordinate the investigation with the State Auditor's Office.

# REGULAR AGENDA Item 3



**DATE:** September 27, 2023

**TO:** Mark Escamilla, Ph.D.

President and CEO

FROM: Dr. Jonda Halcomb

Vice President and Chief Academic Officer

RE: Proposal for a New Bachelor of Applied Science in Organizational

Management and Leadership Degree

#### **SUMMARY:**

The Department of Business and Entrepreneurship developed a baccalaureate degree program track. The new Bachelor of Applied Science in Organizational Management and Leadership (BAS OML) degree would be effective the Fall Semester 2024.

## **BACKGROUND:**

In 2018 the Texas Higher Education Coordinating Board began the review of proposals by community colleges to offer Bachelor of Applied Science degrees that availed Del Mar College an opportunity to consider in implementing the program. The total number of semester credit hours (SCH) required to earn the BAS OML degree will be 120. For Del Mar College's baccalaureate degree program, 42 SCH of core curriculum (required by Texas), 45 SCH of professional development electives, and 33 SCH of applied major courses are included.

The curriculum has been designed after conducting extensive research in reviewing other Texas community colleges that offer a BAS Program, in collaborating with the workforce advisory committees on the need to offer the degree to accommodate the industry workforce needs, and in conducting surveys to compile feedback from students, administrators, and faculty to analyze and to determine the need to establish the BAS OML degree at Del Mar College.

#### STAFF RECOMMENDATION:

I recommend the addition of the new Bachelor of Applied Science in Organizational Management Leadership degree effective the Fall Semester 2024.

#### LIST OF SUPPORTING DOCUMENTS:

New Bachelor of Applied Science in Organizational Management Leadership degree PowerPoint Presentation





# Purpose of Proposed Bachelor of Applied Science-Organizational Management and Leadership (BAS-OML) Degree

The purpose of the proposed BAS-OML degree is to provide students with AAS degrees an opportunity to complete a baccalaureate degree in a targeted occupation at DMC.

- AAS degrees stackable into BAS-OML
- Added business knowledge to complement technical skills from AAS degree

# **Proposed Plan for BAS-OML**

Students Complete Existing AAS

15 SCH CORE

45 SCH Technical Courses

New BAS-OML Degree
27 additional SCH CORE
33 SCH in BAS-OML Major courses

Total for BAS-OML award – 120 credit hours

# **DMC Associate of Applied Science Degrees**

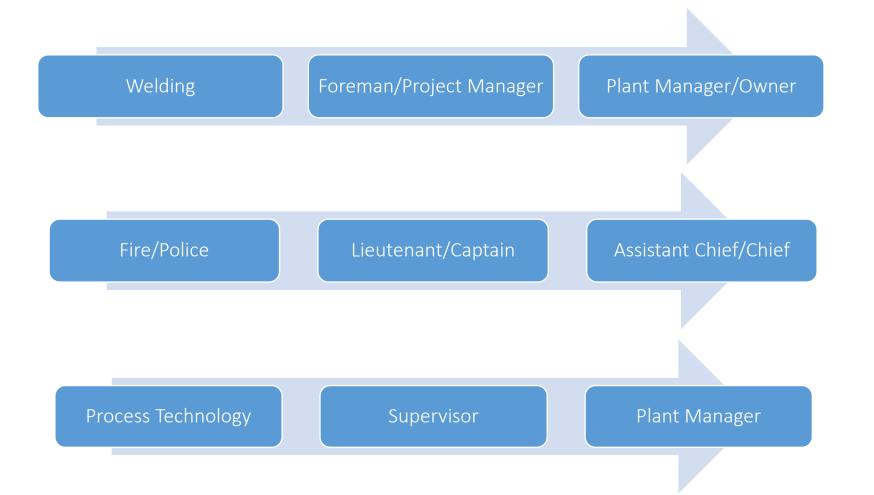
### Over 55 AAS degrees at DMC

- Accounting
- Air Conditioning
- Architectural Technology
- Automotive/Auto Body
- Aviation Maintenance
- Baking/Pastry
- Biotechnology
- Child Development/Early Childhood
- Computer Programming
- Construction Management

- Court Reporting
- Culinary Arts
- Dental Hygiene/Dental Assisting
- Diesel
- Environmental/Petrochemical
- GIS
- Hospitality Management
- Human Services
- Millwright
- Network Administration/ Information Security

- Non-Destructive Testing
- Occupational Safety and Health
- Paralegal
- Power Plant
- Process Technology
- Professional Electronics:
   Avionics Electronics
- Sound Recording Technology
- Technical Drafting/Design
- Welding

# Pathways to Career Advancement



### **Area Employers**

Gulf Coast Growth Ventures

City of Corpus Christi

Port of Corpus Christi

Flint Hills Resources

Cheniere

**Nueces County** 

Titan Support Systems

CoastLife Credit Union

**Hicks Automotive Group** 

# Pathway to Career Advancement Public Service

## Firefighter/Police

- \$57K \$80K annually
- AAS degree/Certificate plus licensure

## Lieutenant/Captain

- \$81K \$103K annually
- AAS degree plus advanced certifications

## Fire/Police Chief

- \$99K \$155K annually
- Bachelor's degree required,
   Master's degree preferred

# Pathway to Career Advancement Process Technology

### **Plant Operator**

- \$77K \$99K annually
- Level 1 or 2 Certificate

### Supervisor

- \$81K \$131K annually
- AAS degree

### Plant Manager

- \$178K \$241K annually
- Bachelor's degree required

# Pathway to Career Advancement Welding

### Welder

- \$45K \$74K annually
- Level 1 or 2 Certificate

## Foreman/Supervisor

- \$49K \$90K annually
- AAS degree

# Rig Welder Owner/

### Operator

- \$85K \$150K annually
- Bachelor's degree

# **DMC Stakeholder Feedback**

### DMC students majoring in AAS degrees surveyed:

- 281 out of 1870 students responded (15% response rate)
- 84% stated they would consider enrolling in BAS-OML Program

### Workforce partners surveyed:

- 41 workforce partners responded
- 78% responded this degree would be valuable to their current and future employees
- 63% offer tuition assistance for employees
- 53% responded they have current employees needing a bachelor's degree to advance career

Workforce advisory committees, secondary institutions, TAMU-CC leadership, and DMC employees provided positive feedback for the initiative.

# **DMC Student Voices**

"I am a wife, mother of 5, and multi-business owner. I believe this degree would greatly improve my life and skills."

"No matter what field you enter, I feel that organizational management and leadership are important skills to have."

"A Bachelor of Applied Science degree would be a huge step in the right direction for me and my family. It would provide me great job opportunities and a chance to make my family proud."

"This would open opportunities for me to advance with my current employer as well as the financial incentives to move up and become a leader or manager of the department."

# Community College Fall Semester Enrollments Bachelor of Applied Science Degrees in Management/Leadership

| College     | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | Average Number of Students Enrolled                        |
|-------------|------|------|------|------|------|------|--|
| Brazosport  | 131  | 127  | 108  | 99   | 111  | 128  | 124  |
| Laredo      |      |      |      |      |      |      | Opened in Spring<br>2022 – enrolled 92<br>students to date |
| Midland     | 51   | 60   | 50   | 37   | 42   | 40   | 47   |
| Odessa      |      |      |      |      |      | 98   | 98   |
| South Texas | 232  | 536  | 669  | 690  | 656  | 925  | 521  |

# **Bachelor of Applied Arts and Sciences Degrees**

## **Texas A&M University-Corpus Christi**

- Applied Leadership
- Community Mental Health
- Criminal Justice
- Early Childhood Education
- Environmental and Occupational Safety/Emergency Response
- Information Technology
- Technical Communication
- Legal Studies

### Texas A&M University-Kingsville

- Agribusiness
- Criminal Justice
- Criminology
- Human Development and Family Studies
- Occupational Safety and Health
- Psychology
- Sociology

# **Program Student Learning Objectives (PSLO's)**

- Understanding and executing management and leadership principles
- Exploring information technology and Human Resource functions
- Implementing traditional and digital marketing plans
- Reviewing accounting methods, budgeting, and QuickBooks basics
- Implementing financial decisions and obtaining new venture/scalable capital
- Analyzing operational and business law concepts
- Forming and presenting a strategic business proposal
- Applying "soft skills" including ethical decision-making and strategic communication

# **BAS-OML Major Courses**

(existing courses in the THECB inventory)

- Marketing for Managers
- Accounting for Managers
- Finance for Managers
- Managerial Communications
- Leadership
- Ethics and Corporate Social Responsibility

- Operations Management
- Human Resource Management
- Management and Law
- Technology in Enterprise
   Management
- Strategic Management: Capstone

# **Faculty and Physical Resources**

- THECB and SACSCOC allow faculty to teach baccalaureate courses with Master's degrees and a minimum of 18 graduate SCH in discipline.
- Presently have faculty members with required credentials.
- All BAS-OML classes will be taught online utilizing existing Learning Management System resources.

# Enrollment Projections New Students to the BAS-OML

|                       | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Cumulative<br>Total |
|-----------------------|--------|--------|--------|--------|--------|---------------------|
| Student Head<br>Count | 30     | 45     | 60     | 75     | 90     | 300                 |

# Projected Budget Direct Revenues and Expenditures for BAS-OML Courses

| FUNDING CATEGORIES         | 1  | Year 1 | Year 2        | Year 3        | Year 4        | Year 5        | Total           |
|----------------------------|----|--------|---------------|---------------|---------------|---------------|-----------------|
| State Funding              | \$ | -      | \$<br>_       | \$<br>105,000 | \$<br>157,500 | \$<br>210,000 | \$<br>472,500   |
| Tuition and Fees           |    | 76,512 | 178,069       | 301,556       | 425,908       | 484,227       | 1,466,272       |
| TOTAL DIRECT REVENUES      | \$ | 76,512 | \$<br>178,069 | \$<br>406,556 | \$<br>583,408 | \$<br>694,227 | \$<br>1,938,772 |
|                            |    |        |               |               |               |               |                 |
| COST CATEGORIES            | ,  | Year 1 | Year 2        | Year 3        | Year 4        | Year 5        | Total           |
| Faculty                    | \$ | 30,000 | \$<br>50,000  | \$<br>50,000  | \$<br>100,000 | \$<br>150,000 | \$<br>380,000   |
| Clerical                   |    | -      | _             | -             | -             | -             | -               |
| Fringe Benefits            |    | 4,500  | 7,500         | 7,500         | 30,000        | 45,000        | 94,500          |
| Supplies and Materials     |    | 3,000  | 3,000         | 5,000         | 5,000         | 10,000        | 26,000          |
| Library and Instructional: |    |        |               |               |               |               | -               |
| Technology Resources       |    | 5,000  | 5,000         | 10,000        | 15,000        | 20,000        | 55,000          |
| TOTAL DIRECT EXPENDITURES  | \$ | 42,500 | \$<br>65,500  | \$<br>72,500  | \$<br>150,000 | \$<br>225,000 | \$<br>555,500   |
|                            |    | _      |               |               |               |               |                 |
| NET REVENUE OVER/UNDER     | \$ | 34,012 | \$<br>112,569 | \$<br>334,056 | \$<br>433,408 | \$<br>469,227 | \$<br>1,383,272 |

# Summary of Projected Revenue to Expenses Over a Five-Year Period

| Direct Revenues for BAS-OML Courses | \$1,938,772 |
|-------------------------------------|-------------|
| Less Direct Expenses for BAS-OML    | (\$555,500) |
| Net Difference                      | \$1,383,272 |

| Plus Indirect Revenue from Common Core<br>Courses | \$1,062,988 |
|---|-------------|
| Net Difference                                    | \$2,446,260 |

Students will be enrolled in existing Common Core Courses.



# **Key BAS-OML Benefits**

Provide a pathway for all current AAS students to continue at DMC for a baccalaureate degree:

- AAS stackable into BAS-OML
- Added business knowledge to complement applied technical skills
- Increases enrollment in current CORE courses
- Enhances AAS and overall DMC enrollment, retention, and graduation rates
- Provides convenient and affordable option for DMC students to continue their education

# Received DMC Curriculum Committee Approval!

### Next Steps – Pending approvals from:

- Del Mar College Board of Regents
- Texas Higher Education Coordinating Board
- Southern Association of Colleges and Schools Commission on Colleges
- Marketing Plan

### Implementation:

Target date Fall 2024

# Regular Agenda Item 4



### **Del Mar College Physical Facilities** September 28, 2023

TO: Mark Escamilla, Ph.D.

President and CEO

FROM: John Strybos, PE, CPA

Vice President and Chief Physical Facilities Officer John Strybos

RE: Discussion and Action on Approval of Second Amendment to the Interlocal Contract Between Del Mar College and the City of Corpus Christi to Construct the City's Police

Training Academy and Police Substation on Del Mar College Property

#### **SUMMARY:**

The City of Corpus Christi Police Training Academy at the Oso Creek Campus is under construction per the approved Interlocal Contract between Del Mar College and the City of Corpus Christi. Exhibit 1 shows the existing 9 acres leased by the City. The purpose of this amendment is to increase the size of the land leased to the City of Corpus Christi by an additional 5 acres to allow for the construction of the Far South Police Substation. Exhibit 2 shows that this expansion of the City of Corpus Christi lease is not in conflict with Del Mar College Oso Creek future developments. For consideration, the City would grant a long-term lease to Del Mar of the approximately 1.1995-acre corner parcel at the intersection of Yorktown Blvd. and Rodd Field Road shown on Exhibit B. The expansion of this lease site is in the best interest of Del Mar College through this partnership with the City of Corpus Christi. The term of the lease is 50 years with a right to extend the lease for an additional 50 years.

#### **BACKGROUND:**

On November 3, 2020, the voters of the City of Corpus Christi approved Bond Proposition C, Public Safety, which approved \$2,000,000 of bonds for public safety projects. This amount included \$1.25 million for the design of a new Police Training Academy complex. On November 10, 2020, Del Mar College approved the Interlocal Contract Between Del Mar College and the City of Corpus Christi to Construct the City's Police Training Academy on Del Mar College Property. Amendment One was approved on April 11, 2022 and the Police Training Academy ground breaking ceremony was on April 14, 2023.

#### STAFF RECOMMENDATION:

Authorization for Staff to Negotiate and Execute Amended Interlocal Contract.

#### LIST OF SUPPORTING DOCUMENTS:

(1) Second Amendment to Interlocal Contract

# 2<sup>ND</sup> AMENDED INTERLOCAL CONTRACT BETWEEN DEL MAR COLLEGE DISTRICT AND CITY OF CORPUS CHRISTI TO LEASE PROPERTY FOR CITY POLICE TRAINING ACADEMY AND POLICE SUBSTATION

WHEREAS, in the spirit of cooperation, enhancing services, and maximizing tax dollars, the Del Mar College District ("College") and City of Corpus Christi ("City") desire City to locate the City's Police Training Academy and Substation on College property;

WHEREAS, the College is an abutting property owner to a City tract that was originally acquired for streets, rights-of-way, or easements and College desires to lease City's tract;

WHEREAS, the City chooses to lease City's tract to College in consideration for the City's Police Training Academy and Substation leasehold;

WHEREAS, pursuant to Texas Education Code §130.0021, the City's Police Training Academy and Substation is a governmental function that promotes a public purpose related to higher education within the Del Mar College Service District and is consistent with and complementary to the mission of College; and

WHEREAS, this Interlocal supersedes the previous interlocal contract between Del Mar College District and City of Corpus Christi to lease property for City Police Training Academy executed April 5, 2021, and amended on January 20, 2023.

This Lease is hereby entered into between Del Mar College District ("College"), a Texas Junior College District and Institution of Higher Education, and City of Corpus Christi ("City"), a Texas Home Rule Municipal Corporation.

#### ARTICLE 1. DEMISE OF LEASED PREMISES

### §1.01. City Lease of College Premises

In consideration of the mutual covenants and agreements of this lease, and other good and valuable consideration, College demises and leases to City, and City leases from College, 14 acres situated on Yorktown Blvd, in Corpus Christi, Nueces County, Texas, as shown in **Exhibit 1 & 2** attached to this lease, and made a part of this lease for all purposes (collectively referred to as "the premises" or "the leased premises" in this lease). The area leased to the City may be increased with College's written consent to account for additional amenities or change in design layout.

City is to have and to hold the premises, together with all rights, privileges, easements, appurtenances, and immunities belonging to or in any way appertaining to them, including but not limited to any easements, rights, title, and privileges of College, existing now or at any time during the lease term, in, to, or under adjacent streets, sidewalks, alleys, party walls, and property contiguous to the premises and reversions that may later accrue to College as owner of the premises by reason of the closing of any street, sidewalk, or alley.

### §1.02 College Lease of City Premises

In consideration of the mutual covenants and agreements of this lease, and other good and valuable consideration, City demises and leases to College, and College leases from City, 1.1995 acres, situated on Yorktown Blvd, in Corpus Christi, Nueces County, Texas, as shown in **Exhibit A & B** attached to this lease, and made a part of this lease for all purposes (collectively referred to as "City Tract" in this lease).

College is to have and to hold the City Tract, together with all rights, privileges, easements, appurtenances, and immunities belonging to or in any way appertaining to them, including but not limited to any easements, rights, title, and privileges of City, existing now or at any time during the lease term, in, to, or under adjacent streets, sidewalks, alleys, party walls, and property contiguous to the City and reversions that may later accrue to City as owner of the City Tract by reason of the closing of any street, sidewalk, or alley.

#### **ARTICLE 2. LEASE TERM**

### § 2.01. Fixed Beginning, Termination Date and Consideration

a. For and in consideration of ten dollars (\$10.00) a year, receipt of which is hereby acknowledged, College hereby leases to City, for a term of 50 years, subject to the other terms and conditions of this Agreement, Leased Premises as described **Exhibit 1 & 2**, attached hereto, together with the right of ingress and egress thereto, unless terminating sooner as provided in this lease.

The Agreement's considerations to College and/or City include, but are not limited to:

- -enhancement of safety and security on campus with the regular, conspicuous presence of law enforcement;
- -fostering of "goodwill" between governmental entities, contributing to public confidence;
- -creation of potential educational partnerships between College and City;
- -opening potential opportunity for College and City to utilize "shared space" consistent with respective missions; and,
- -maximizing use of public resources and improving delivery of services to the public,
- lease of City Tract.
- b. For and in consideration of ten dollars (\$10.00) a year, receipt of which is hereby acknowledged, City hereby leases to College, for a term of 50 years, subject to the other terms and conditions of this Agreement, City Tract, as described **Exhibit A & B**, attached hereto, together with the right of ingress and egress thereto, unless terminating sooner as provided in this lease.

### § 2.02. Right to Extend

a. City may extend the lease of Leased Premises as described Exhibit 1 & 2 for 50 additional years with a fixed annual rent of \$10 by giving College written notice of City's intention to do so within the last two years before the lease term expires but no later than six months before it expires, under all the terms of this lease.

b. College may extend lease of City Tract for 50 additional years with a fixed annual rent of \$10 by giving City written notice of College's intention to do so within the last two years before the lease term expires but no later than six months before it expires, under all the terms of this lease.

### § 2.03. Termination

This lease will terminate without further notice when the term specified in § 2.01 expires, and any holding over by City after that term expires, other than as provided in § 2.02, will not constitute a renewal of the lease or give City any rights under the lease in or to the premises.

### §2.04. Revocable

This lease is revocable if the City does not initiate construction of the Police Training Academy within 10 years from final execution of this lease. After construction of the Police Training Academy, this lease is revocable if the City vacates the leased premises for a period longer than five years.

### §2.05 Irrevocable

This lease is irrevocable upon initiation of construction of the Police Training Academy as agreed to, except if the City vacates the leased premise after constructing the Police Training Academy for a period longer than five years.

#### **ARTICLE 3. USE OF PREMISES**

### § 3.01. Permitted and Prohibited Use of Premises

City may use the premises to develop, construct, and to operate a Police Training Academy and Police Substation, and for no other purpose without the written consent of College. The Police Training Academy may consist of single or multiple buildings, including a parking lot and running track. The Police Substation may consist of single or multiple buildings including a parking lot.

#### § 3.02. Use Not Permitted

City may not use all or any part of the premises or any building situated on them for a firing range or driving track.

#### **ARTICLE 4. INTERLOCAL CONTRACTS**

### § 4.01. Lease

This lease constitutes an Interlocal Contract pursuant to Texas Government Code Chapter 791 and is dually authorized by the respective governing bodies.

### § 4.02. Contracts

The College and City contemplate entering into additional Interlocal Contracts to address design, construction, and operation of the Police Training Academy, Police Substation, and additional use of the premises.

#### ARTICLE 5. CONSTRUCTION BY CITY

### § 5.01. General Conditions

- a. City may, at any time and from time to time during the lease term, erect, maintain, alter, remodel, reconstruct, rebuild, replace, and remove buildings and other improvements on the premises, and correct and change the contour of the premises, subject to the following:
  - i. City bears the cost of any such work.
  - ii. The premises must at all times be kept free of mechanics' and materialmen's liens.
  - iii. College must be notified of the time for beginning and the general nature of any such work, other than routine maintenance of existing buildings or improvements, at the time the work begins.
  - iv. The conditions of § 5.03 concerning College's approving plans must be followed.
- b. . College may, at any time and from time to time during the lease term, erect, maintain, alter, remodel, reconstruct, rebuild, replace, and remove buildings and other improvements on City Tract, and correct and change the contour of the premises, subject to the following:
  - i. College bears the cost of any such work.
  - ii. City Tract must at all times be kept free of mechanics' and materialmen's liens.
- § 5.02. Easements, Dedications, Zoning, and Restrictions
- a. College must cooperate with City concerning easements, dedications, and restrictions of the premises as follows:
  - i. Easements and Dedications. To provide for the more orderly development of the premises, it may be necessary, desirable, or required that street, water, sewer, drainage, gas, power lines, and other easements and dedications and similar rights

be granted or dedicated over or within portions of the premises. College must, on City's request, join with City in executing and delivering the documents, from time to time, and throughout the lease term, as may be appropriate, necessary, or required by the several governmental agencies, public utilities, and companies for the purpose of granting the easements and dedications.

- ii. Zoning. If City considers it necessary or appropriate to obtain use, zoning, or subdivision and precise plan approval and permits for the premises or any part of them, College will execute the documents, petitions, applications, and authorizations as are appropriate or required to submit the premises, or any part of them, for the purposes of obtaining conditional use permits, zoning and rezoning, tentative and final tract approval, plats, precise plan approval, and further, for the purposes of annexation to or the creation of districts and governmental subdivisions. College will execute these documents from time to time as requested by City.
- iii. Restrictions. At City's request, College will, from time to time, execute and deliver or join in the execution and delivery of the documents that are appropriate, necessary, or required to impose on the premises covenants, conditions, and restrictions providing for the granting of exclusive uses of the premises, or any part of them; the establishment of common and parking areas; the establishment of party walls; provisions for enlarging the common and parking areas by establishing mutual and reciprocal parking rights and the rights of ingress and egress; and other like matters, all of which are for the purpose of orderly development of the premises as a commercial unit.
- iv. Expenses. City exclusively bears the cost and expense of any action required of College under subparagraphs i through iii, above.
- v. City as College's Agent. College appoints City as its attorney in fact and agent (to be irrevocable so long as this lease remains in full force, which is deemed to be a power coupled with an interest) to execute and deliver and to record any documents that may be appropriate, necessary, or required under subparagraphs i through iii above, in College's name, and any third person may rely on such execution, delivery, and recordation.
- b. City must cooperate with College concerning easements, dedications, and restrictions of City Tract as follows:
  - i. Easements and Dedications. To provide for the more orderly development of City Tract, it may be necessary, desirable, or required that street, water, sewer, drainage, gas, power lines, and other easements and dedications and similar rights be granted or dedicated over or within portions of the premises. City must, on College's request, join with College in executing and delivering the documents, from time to time, and throughout the lease term, as may be appropriate, necessary, or required by the several governmental agencies, public utilities, and companies for the purpose of granting the easements and dedications.

- ii. Zoning. If College considers it necessary or appropriate to obtain use, zoning, or subdivision and precise plan approval and permits for City Tract or any part of them, City will execute the documents, petitions, applications, and authorizations as are appropriate or required to submit the premises, or any part of them, for the purposes of obtaining conditional use permits, zoning and rezoning, tentative and final tract approval, plats, precise plan approval, and further, for the purposes of annexation to or the creation of districts and governmental subdivisions. City will execute these documents from time to time as requested by College.
- iii. Restrictions. At College's request, City will, from time to time, execute and deliver or join in the execution and delivery of the documents that are appropriate, necessary, or required to impose on the premises covenants, conditions, and restrictions providing for the granting of exclusive uses of the premises, or any part of them; the establishment of common and parking areas; the establishment of party walls; provisions for enlarging the common and parking areas by establishing mutual and reciprocal parking rights and the rights of ingress and egress; and other like matters, all of which are for the purpose of orderly development of City Tract as a commercial unit.
- iv. Expenses. College exclusively bears the cost and expense of any action required of City under subparagraphs i through iii, above.
- v. College as City's Agent. City appoints College as its attorney in fact and agent (to be irrevocable so long as this lease remains in full force, which is deemed to be a power coupled with an interest) to execute and deliver and to record any documents that may be appropriate, necessary, or required under subparagraphs i through iii above, in City's name, and any third person may rely on such execution, delivery, and recordation.

### § 5.03. College's Approval of Plans

The following rules govern College's approving construction, additions, and alterations of buildings or other improvements on the premises:

- a. Written Approval Required. No building or other improvement may be constructed on the premises unless the plans, specifications, and proposed location of the building or other improvement has received College's written approval and the building or other improvement complies with the approved plans, specifications, and proposed location. No material addition to or alteration of any building or structure erected on the premises may be begun until plans and specifications covering the exterior of the proposed addition or alteration have been first submitted to and approved by College.
- b. Submission of Plans. City must, at its own expense, engage a licensed architect or engineer to prepare plans and specifications for constructing a building or improvements or additions or alterations to any buildings or improvements that require College's approval under subparagraph a above. City must submit copies of detailed working drawings, plans, and specifications for constructing a building or improvements or additions or alterations for College's approval. If City wishes to construct any other

buildings or improvements or make any additions or alterations to buildings or improvements for which College's approval is required under Subsection (a) above, City must submit copies of detailed working drawings, plans, and specifications for any such projects for College's approval before the project begins.

- c. College's Approval. College will promptly review and approve all plans, meeting external architectural consistency with the remainder of the college campus, submitted under subparagraph b above or note in writing any required changes or corrections that must be made to the plans. Any required changes or corrections must be made, and the plans resubmitted to College, within 60 days after the corrections or changes have been noted. College's failure to object to the resubmitted plans and specifications within 30 days constitutes its approval of the changes. Approval by College shall not be unreasonably withheld, and any disapproval will be in writing with reasons, therefore. Minor changes in work or materials not affecting the general character of the building project may be made at any time without College's approval, but a copy of the altered plans and specifications must be furnished to College.
- d. Exception to College's Approval. The following items do not require submission to, and approval by, College:
  - i. Minor repairs and alterations necessary to maintain existing structures and improvements in a useful state of repair and operation.
  - ii. Changes and alterations required by an authorized public official with authority or jurisdiction over the buildings or improvements, to comply with legal requirements.
- e. Effect of Approval. College's approval of any plans and specifications applies only to the conformity of the plans and specifications to the general architectural plan for the premises, and College may not unreasonably withhold approval. College's approval does not constitute approval of the architectural or engineering design, and College, by approving the plans and specifications, assumes no liability or responsibility for the architectural or engineering design or for any defect in any building or improvement constructed from the plans or specifications.
- § 5.04. Ownership of Buildings, Improvements, and Fixtures
- a. Any buildings, improvements, additions, alterations, and fixtures constructed, placed, or maintained on any part of the leased premises during the lease term are property of the City. Upon expiration or termination of the lease, all permanent buildings, improvements, additions, alterations, and fixtures become the property of the College, unless College elects not to retain said property, in which case, City will remove any or all of said property within 12 months after the date of expiration or termination of this Lease Agreement.
- b. Any buildings, improvements, additions, alterations, and fixtures constructed, placed, or maintained on any part of City Tract during the lease term are property of the College. Upon expiration or termination of the lease, all permanent buildings, improvements,

additions, alterations, and fixtures become the property of the City, unless City elects not to retain said property, in which case, College will remove any or all of said property within 12 months after the date of expiration or termination of this Lease Agreement.

### § 5.05. Right to Remove Improvements

- a. City may, at any time while it occupies the premises, or within a reasonable time thereafter, remove any furniture, machinery, equipment, or other trade fixtures owned or placed by City, its subtenants or licensees, in, under, or on the premises, or acquired by City, whether before or during the lease term.
- b. College may, at any time while it occupies City Tract, or within a reasonable time thereafter, remove any furniture, machinery, equipment, or other trade fixtures owned or placed by College, its subtenants or licensees, in, under, or on City, or acquired by College, whether before or during the lease term.

### **ARTICLE 6. NOTICE**

Notice may be given by hand delivery or certified mail, postage prepaid, and received on the day hand-delivered or on the third day after deposit if sent certified mail. Notice will be sent as follows:

IF TO CITY: IF TO COLLEGE:

City of Corpus Christi
Attention: City Manager
P. 0. Box 9277
Corpus Christi, TX 78469-9277

Del Mar College Attention: President 101 Baldwin Blvd. Corpus Christi, TX 78404

#### **ARTICLE 7. UTILITIES**

- a. City will pay or cause to be paid all charges for water, wastewater, electricity, gas, and all other utilities used on the premises throughout the lease term, including any connection fees.
- b. College will pay or cause to be paid all charges for water, wastewater, electricity, gas, and all other utilities used on City Tract throughout the lease term, including any connection fees.

### ARTICLE 8. REPAIRS AND MAINTENANCE,

- a. At all times during the lease term, City will keep and maintain, or cause to be kept and maintained, all buildings and improvements erected on the premises in a good state of appearance and repair (except for reasonable wear and tear) at City's own expense.
- b. At all times during the lease term, College will keep and maintain, or cause to be kept and maintained, all buildings and improvements erected on City Tract in a good state of appearance and repair (except for reasonable wear and tear) at College's own expense.

#### **ARTICLE 9. VOLUNTARY CONVEYANCE**

a. If College, during the lease term, desires to sell all or any portion of the Leased Premises and/or areas of ingress/egress, City will have the right of first refusal to meet any bona fide offer of sale on the same terms of the offer.

b. If City, during the lease term, desires to sell all or any portion of the City Tract and/or areas of ingress/egress, College will have the right of first refusal to meet any bona fide offer of sale on the same terms of the offer.

### **ARTICLE 10. WARRANTIES AND COVENANTS**

§ 10.01. Warranty of Title

College warrants that it is the owner in fee simple absolute of the premises.

§ 10.02. Warranty of Quiet Enjoyment

College covenants that, as long as City pays the rent and other charges under this lease and observes the covenants and terms of this lease, City will lawfully and quietly hold, occupy, and enjoy the premises during the lease term without being disturbed by College or any person claiming under College, except for any portion of the premises that is taken under the power of eminent domain.

§ 10.03. Warranty of Title

City warrants that it is the owner in fee simple absolute of City Tract.

§ 10.04. Warranty of Quiet Enjoyment

City covenants that, as long as College pays the rent and other charges under this lease and observes the covenants and terms of this lease, College will lawfully and quietly hold, occupy, and enjoy City Tract during the lease term without being disturbed by City or any person claiming under City, except for any portion of City Tract that is taken under the power of eminent domain.

#### **ARTICLE 11. GENERAL PROVISIONS**

§ 11.01. No Partnership or Joint Venture

The relationship between College and City is at all times solely that of College and City and may not be deemed a partnership or a joint venture.

§ 11.02. Force Majeure

If constructing the building as provided in § 2.04 or curing any default or performing any other covenant or term is delayed by reason of war, civil commotion, act of God, governmental restrictions, regulations, or interference, fire or other casualty, or any other circumstances beyond City's control or that of the party obligated or permitted under this lease to do or perform the term or covenant, regardless of whether the circumstance is

similar to any of those enumerated or not, each party so delayed is excused from performance during the delay period.

### § 11.03. No Waiver

No waiver by either party of any default or breach of any covenant or term of this lease may be treated as a waiver of any subsequent default or breach of the same or any other covenant or term of this lease.

### § 11.04. Severability

If any covenant, condition, or provision in this Agreement is held to be invalid by any court of competent jurisdiction, the invalidity of such covenant, condition, or provision in no way affects any other covenant, condition, or provision herein contained.

### § 11.05. Interpretation

The Parties acknowledge that each of them has been actively involved in negotiating this Agreement. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting Party will not apply to interpreting this Agreement. In the event of any dispute over the meaning or application of any provision of this Agreement, the provision will be interpreted fairly and reasonably and neither more strongly for or against any Party, regardless of which Party originally drafted the provision.

### § 11.06. Effective Date of Agreement

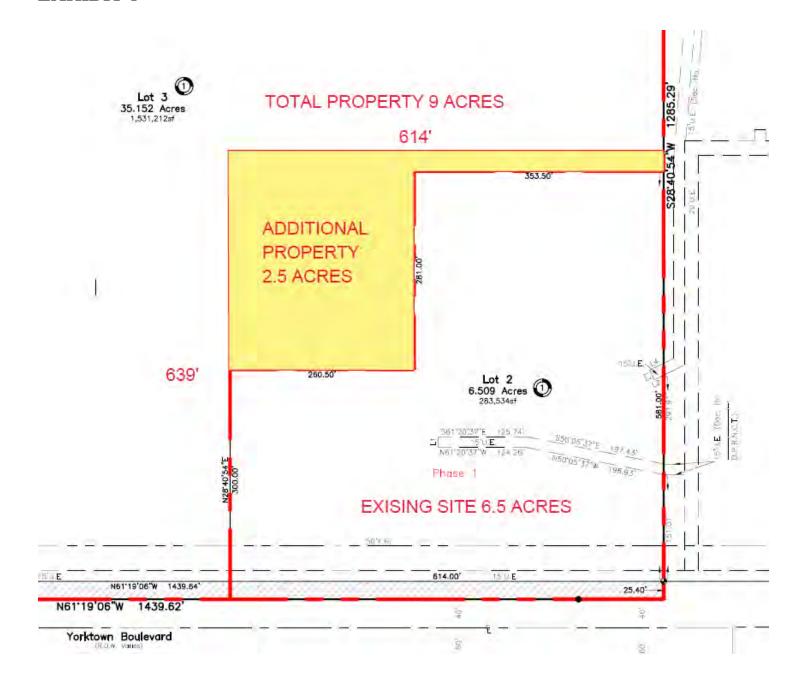
This Agreement will begin upon approval by the City Council and District Board of Regents and last signature of their authorized representative.

### CITY OF CORPUS CHRISTI

### **DEL MAR COLLEGE DISTRICT**

| Michael Rodriguez<br>Deputy City Manager<br>For City Manager | (Date)    |
|--|-----------|
| ATTEST:  |           |
| Rebecca Huerta<br>City Secretary                             | (Date)    |
| APPROVED AS TO LEG   | GAL FORM: |
| Buck Brice Deputy City Attorney For City Attorney            | (Date)    |

### EXHIBIT 1



### **EXHIBIT 2**



FAR SOUTH POLICE SUBSTATION

### **EXHIBIT 2**

CITY OF CORPUS CHRISTI, TEXAS
DEPARTMENT OF ENGINEERING SERVICES





820 Buffalo Street
Corpus Christi, Texas 78401
LJA.com

t 361 887 8851 f 361 887 8855 TBPE F-1386 TBPLS 10016600

May 10, 2017

LJA Project No. C007-15025.402

# EXHIBIT 'A' FIELD NOTES DESCRIPTION

# THE STATE OF TEXAS § COUNTY OF NUECES §

Field notes of a 1.1995-acre right-of-way Surplus Tract out of a 35.19-acre tract of land, being out of a portion of Lot 9 and 10, Section 21, Flour Bluff & Encinal Farm & Garden Tracts ("F.B. & E.F. & G.T."), as recorded in Document Number 2013042625 of the Official Public Records of Nueces County, Texas and described by metes and bounds as follows:

COMMENCING at a PK nail found in the centerline of Rodd Field Road and the common corner of Lots 8 and 9, Section 21, & Lots 1 and 16, Section 25, F.B. & E.F. & G.T., as recorded in Volume A, Page 41-43, Map Records of Nueces County, Texas;

THENCE N 61°20'00" W, a distance of 60.00 feet to a 5/8" iron rod with cap found on the west right-of-way of Rodd Field Road;

THENCE S 28°40'00" W along the west right-of-way of Rodd Field Road, a distance of 751.60 feet to the point of curvature of a curve to the right, with a radius of 513.20 feet and a central angle of 8°00'16", whence a 5/8" iron rod with cap found bears N 61°20'00" W, a distance of 1.10 feet;

THENCE along the west right-of-way of Rodd Field Road and along said curve to the right, a distance of 71.70 feet to a 5/8" iron rod with cap set for the POINT OF BEGINNING of this tract;

THENCE S 28°40'00" W along west right-of-way of Rodd Field Road, a distance of 412.95 feet to a 5/8" iron rod with cap set at the point of curvature of a curve to the right, with a radius of 25.00 feet and a central angle of 90°01'30", for a corner of this tract;

THENCE along the west right-of-way of Rodd Field Road and along said curve to the right, a distance of 39.28 feet to a 5/8" iron rod with cap set at the point of tangency of the curve and north right-of-way of Yorktown Boulevard for a corner of this tract;

THENCE N 61°18'30" W along the north right-of-way of Yorktown Boulevard, a distance of 419.47 feet to a 5/8" iron rod with cap set at north right-of-way of a curve to the left with a radius of 513.20 feet and a central angle of 74°51'49" for a corner of this tract;

Exhibit 'A' - 1.1995-Acre Surplus Tract May 10, 2017 Page 2 of 2

THENCE along the north right-of-way of Yorktown Boulevard and along said curve to the left, a distance of 670.56 feet to POINT OF BEGINNING, containing 1.1995 acres, more or less.

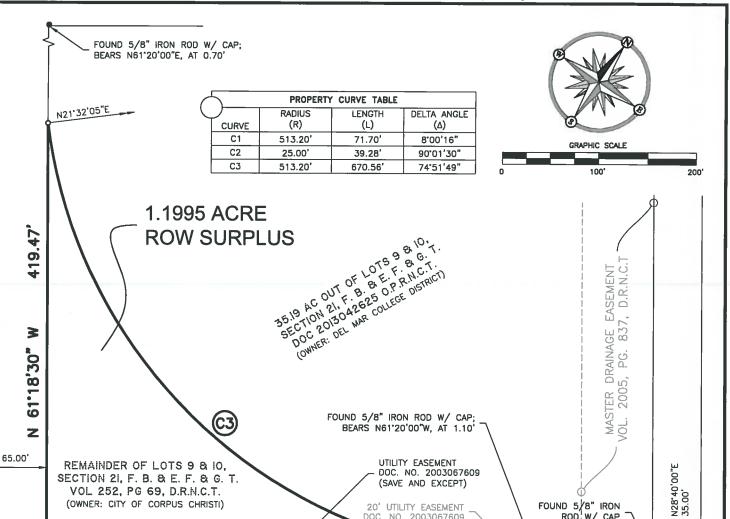
Bearings refer to grid north, Texas State Plane Coordinate System, South Zone, NAD83, US Survey Feet, as observed by GPS.

This field notes description is accompanied by a survey map titled Exhibit 'B', dated May 10, 2017.

I, Albert E. Franco, Jr., Registered Professional Land Surveyor of Texas, do hereby certify that this description is based on an actual survey made on the ground, under my supervision, this the 10th day of May, 2017.

Registered Professional Land Surveyor

Texas Registration No. 4471



I, ALBERT E. FRANCO, JR., REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED FROM SURVEYS MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT SAID BOUNDARY SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE, THIS THE 10th DAY OF MAY, 2017.

S 28'40'00" W

© RODD FIELD ROAD

SECTION 21, F. B. & E. F. & G. T.

VOL 252, PG 69, D.R.N.C.T.

(OWNER: CITY OF CORPUS CHRISTI)

65.00

BOULEVARD

YORKTOWN

لبي



ALBERT E. FRANCO, JR., TEXAS REGISTRATION NO. 4471

#### NOTES:

DOC. NO. 2003067609

(C1)

(SAVE AND EXCEPT)

20' UTILITY EASEMENT DOC. NO. 2003067609

412.95

POINT OF BEGINNING SET 5/8" IRON ROD W/ CAP

BEARINGS REFER TO GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83, US SURVEY FEET, AS OBSERVED BY GPS.

FOUND 5/8" IRON

ROD W/ CAP

S28'40'00"W

751.60

LOT 9, SECTION 21

LOT 16, SECTION 25

COMMENCING POINT FOUND PK NAIL

- SET 5/8" IRON ROD AT ALL CORNERS; UNLESS NOTED OTHERWISE.
- SURVEY IS ACCOMPANIED BY A FIELD NOTES DESCRIPTION OF THIS TRACT, TITLED EXHIBIT 'A', DATED MAY 10, 2016.

# EXHIBIT 'B'

1.1995 ACRE R.O.W. SURPLUS

LJA Engineering, Inc.

820 Buffalo Street Corpus Christi, Texas 78401 TBPE Firm Reg. #F-1386

Phone 361,887,8851 Fax 361.887.8855 TBPLS Firm Reg. #10016600

N61'20'00"W

SECTION 2

60.00

LOT 8

LOT 1. SECTION 2

# Regular Agenda Item 5



# Del Mar College Physical Facilities September 20, 2023

TO: Mark Escamilla, Ph.D. President and CEO FROM: John Strybos, PE, CPA

Vice President and Chief Physical Facilities Officer John Strybos

RE: Discussion and Action on Annexation – 10.817 Acres at the Northeast End of London Pirate Road

(formerly County Road 33) South of Oso Creek

**SUMMARY:** In accordance with the Texas Education Code, Section 130.066, Automatic Annexation of Certain Territory, as the City of Corpus Christi annexes property, then Del Mar College may also annex the property.

**BACKGROUND:** On June 27, 2023, the City of Corpus Christi passed an ordinance annexing approximately 10.817 Acres at the Northeast end of London Pirate Road (formerly County Road 33) south of Oso Creek into the territorial limits of the City of Corpus Christi; and approving related service plans. The proposed Agape Ranch subdivision project will consist of 10.817 acres subdivided into 24 residential lots. Homes will be occupied by area foster families. The property is currently zoned as Interim "FR" Farm Rural and was rezoned to RS-6 Medium-density residential with a minimum lot size of 6,000 square feet. The current appraised property value is approximately \$320,000.

STAFF RECOMMENDATION: Annexation of the property as annexed by the City of Corpus Christi.

#### LIST OF SUPPORTING DOCUMENTS: Annexation property Map

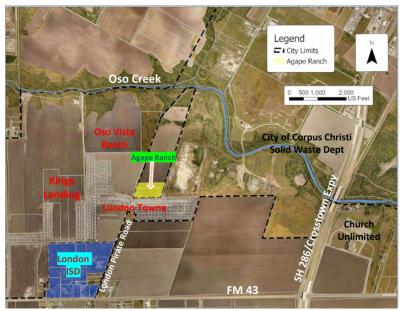


Figure 1 Annexation Property Map

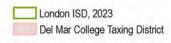
# **Del Mar College Taxing District**

Corpus Christi, Texas Region



The map indicates London ISD in relation to the Del Mar College Taxing District.





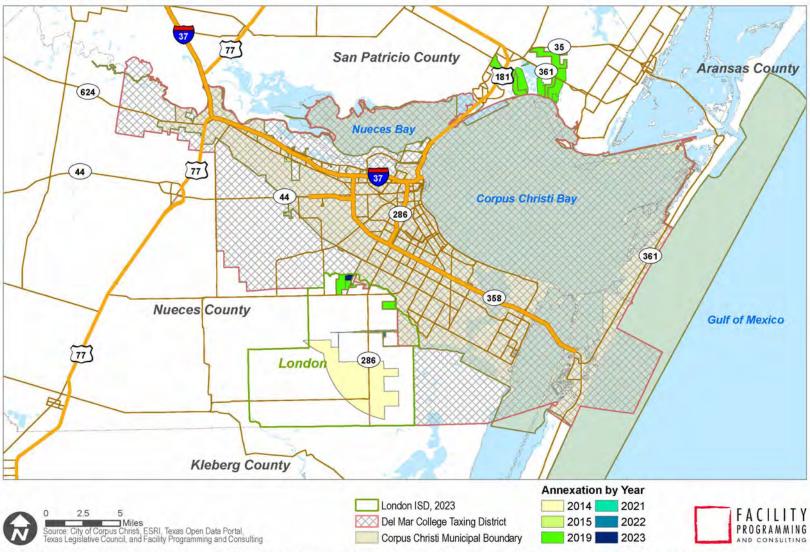


Information shown hereon is a graphical representation only and based upon available information. Facility Programming and Consulting cannot be responsible for consequences resulting from error or omission in the information and graphical representations made hereon.

8/2/2023

### Corpus Christi Annexation (2014-23)

Corpus Christi, Texas Region



Areas annexed between 2014 and 2023 by the City of Corpus Christi in relationship to the boundaries of the Del Mar College Taxing District are indicated on the adjacent map.

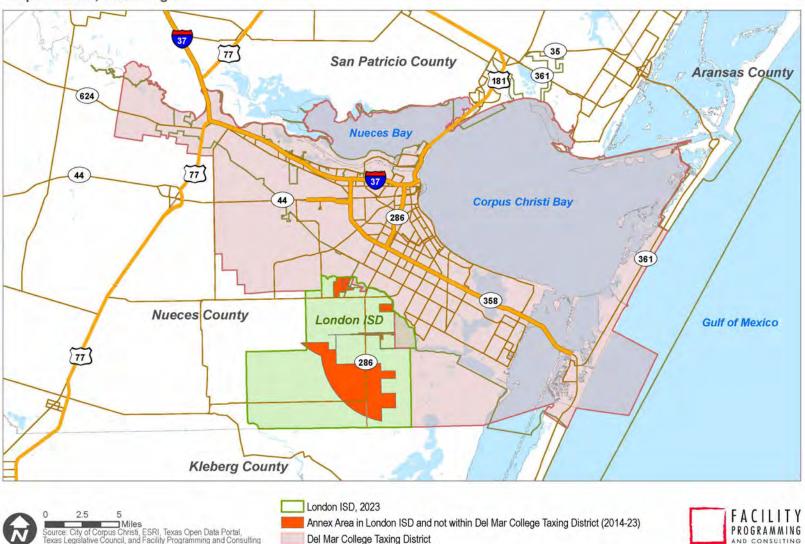
Note, only areas which were annexed since 2014 are highlighted. Areas within the Taxing District but annexed prior to 2014 are not highlighted.

Information shown hereon is a graphical representation only and based upon available information. Facility Programming and Consulting cannot be responsible for consequences resulting from error or omission in the information and graphical representations made hereon.

8/2/2023

#### **Overlapping Political Boundaries**

Corpus Christi, Texas Region



The map indicates London ISD in relation to the Del Mar College Taxing District.

Areas annexed between 2014 and 2023 (indicated in red) do not currently overlap with the boundaries of the Taxing District.

A portion of the ISD, located in both the north and east, annexed in 1995 does overlap the Taxing District.

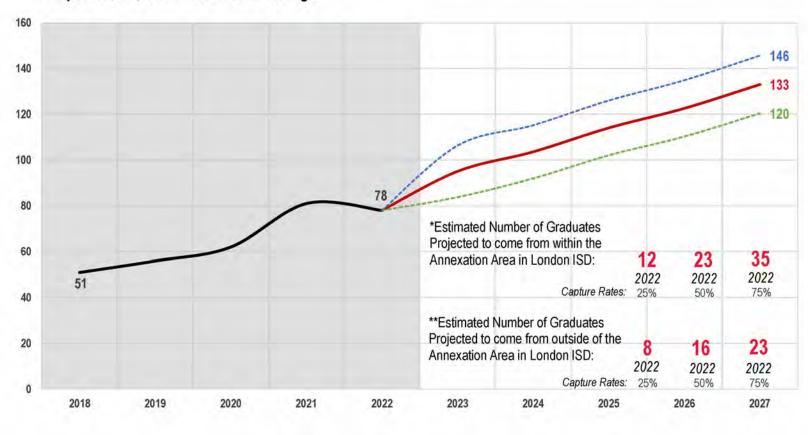
If Del Mar College were to incorporate these more recently annexed areas into their Taxing District, this may result in both additional revenue and enrollment.

Information shown hereon is a graphical representation only and based upon available information. Facility Programming and Consulting cannot be responsible for consequences resulting from error or omission in the information and graphical representations made hereon.

8/2/2023

#### **Total London ISD Graduates (2018-27)**

Corpus Christi, Texas and Del Mar College



Historic Values
Forecast (Based on Trend Line 2018-22)
Lower Confidence Bound
Upper Confidence Bound

Confidence Interval: 95%

\*Assumes an Estimated Percent of Students in Annexation Area of 60.0% and Capture Rates of 25.0%, 50.0% and 75.0% within Taxing District

\*\*Assumes an Estimated Percent of Students not within Annexation Area of 40.0% and Capture Rates of 25.0%, 50.0% and 75.0% outside of Taxing District



In 2022, London ISD graduated 78 students.

For this scenario, it is estimated 60% of graduates live within the annexed area identified on the previous slide and that this area is incorporated into the DMC Taxing District.

At capture rates 25%, 50%, and 75%, the potential number of Del Mar College students totals between 20 and 58 London ISD graduates in 2022.

Based on historic data, it is projected that approximately 133 students will graduate from London ISD in 2027.

Using the methodology noted above, this could translate to between 33 to 100 Del Mar college students in 2027.

Note: the percent capture rate outside of the annexed area may be less, in reality, as students may not desire to pay out-of-district tuition.

8/2/2023 4

# Regular Agenda Item 6



TO: Mark Escamilla, Ph.D., President of the College

FROMT: Raul Garcia, CPA, Vice President and Chief Financial Office

DATE: September 28, 2023

SUBJECT: Board Agenda: Quarterly Financial Report

#### BACKGROUND:

In accordance with Board Policy A4.2.1.1, the Board of Regents will review the College's quarterly financial statements and disbursement activity. Mr. Raul Garcia, Vice President and Chief Financial Officer, will present the August's Quarterly Financial Report.

Action Item: Discussion and possible action regarding the College's Quarterly Financial Report for the period ending August 2023.

delmar.edu

# DEL MAR COLLEGE INCOME/EXPENSE STATEMENT CURRENT OPERATING FUNDS For the Twelve Months Ended August 2023

|  | F  |             | Y 202 | 3           |                |    | FY          | 202 | 2           |        |
|--|----|-------------|-------|-------------|----------------|----|-------------|-----|-------------|--------|
| 0.0  |    | BUDGET      |       | INC/EXP     | % Spent<br>YTD |    | BUDGET      |     | INC/EXP     | % Sper |
| $\mathcal{J}\mathcal{J}$                   |    | 20202.      |       | III OI EXI  | 110            |    | DODGE       |     | IIIOIZAI    | 1,10   |
| REVENUES:                                  |    |             |       |             |                |    |             |     |             |        |
| STATE FUNDING                              |    |             |       |             |                |    |             |     |             |        |
| BASE APPROPRIATION                         | \$ | 17,359,104  | \$    | 17,359,106  | 100%           | \$ | 17,359,105  | \$  | 17,359,107  | 100%   |
| INSURANCE CONTRIBUTION                     |    | 4,281,371   |       | 4,281,371   | 100%           |    | 4,263,497   |     | 4,263,497   | 100%   |
| RETIREMENT CONTRIBUTION                    |    | 1,871,176   |       | 2,080,212   | 111%           |    | 1,564,963   |     | 1,966,711   | 126%   |
| TOTAL STATE FUNDING                        | \$ | 23,511,651  | \$    | 23,720,689  | 101%           | \$ | 23,187,565  | \$  | 23,589,315  | 102%   |
| OTHER REVENUES                             |    |             |       |             |                |    |             |     |             |        |
| TUITION & FEES                             | S  | 24.375.830  | S     | 22,350,630  | 92%            | S  | 25,962,825  | S   | 22,120,569  | 85%    |
| PROPERTY TAXES                             |    | 65,556,443  |       | 66.078.552  | 101%           |    | 60.390.356  |     | 60,593,109  | 100%   |
| INVESTMENT INCOME                          |    | 730,000     |       | 2.040.083   | 279%           |    | 760,000     |     | 365,863     | 48%    |
| MISCELLANEOUS                              |    | 532,144     |       | 662,783     | 125%           |    | 623,413     |     | 596,220     | 96%    |
| TOTAL OTHER REVENUES                       | \$ | 91,194,417  | \$    | 91,132,049  | 100%           | \$ | 87,736,594  | \$  | 83,675,761  | 95%    |
| EXPENDITURES:                              |    |             |       |             |                |    |             |     |             |        |
| SALARIES & BENEFITS                        |    |             |       |             |                |    |             |     |             |        |
| FACULTY SALARIES                           | S  | 33,467,687  | \$    | 33,215,787  | 99%            | S  | 34.874.576  | S   | 32,862,425  | 94%    |
| EXEMPT SALARIES                            | -  | 17,378,672  |       | 16,616,496  | 96%            |    | 16,486,947  | 1.5 | 15,485,214  | 94%    |
| NON EXEMPT SALARIES                        |    | 13,924,481  |       | 12,178,621  | 87%            |    | 12,011,408  |     | 11,562,866  | 96%    |
| BENEFITS                                   |    | 20.629,511  |       | 20,002,174  | 97%            |    | 20,279,228  |     | 19,734,604  | 97%    |
| TOTAL SALARIES & BENEFITS                  | \$ | 85,400,351  | \$    | 82,013,078  | 96%            | \$ | 83,652,159  | \$  | 79,645,110  | 95%    |
| NON-SALARY                                 |    |             |       |             |                |    | CASACTA ATT |     | 4.44        |        |
| CONTRACT INSTRUCTION                       | S  | 151,600     | S     | 145,427     | 96%            | S  | 151,600     | \$  | 145,427     | 96%    |
| SUPPLIES, POSTAGE, DUPL., COPIER RENTAL    |    | 3,443,888   |       | 2.536,911   | 74%            |    | 3,110,202   |     | 3,293,547   | 106%   |
| MAINTENANCE & REPAIRS                      |    | 1,595,040   |       | 1,659,875   | 104%           |    | 1,554,478   |     | 1,662,120   | 107%   |
| EQUIPMENT                                  |    | 1,074,025   |       | 638,567     | 59%            |    | 780,753     |     | 979,198     | 125%   |
| STUDENT RECRUITING AND MARKETING           |    | 1,060,908   |       | 1.015,476   | 96%            |    | 1,030,908   |     | 1,211,191   | 117%   |
| AUDIT & LEGAL, TAX APPRAISAL, COLL. FEES   |    | 1,626,295   |       | 1,574,588   | 97%            |    | 1,612,210   |     | 1,544,672   | 96%    |
| CONSULTANTS & CONTRACT LABOR               |    | 3,276,496   |       | 3,178,335   | 97%            |    | 2,970,704   |     | 2,610,898   | 88%    |
| ACCREDITATION                              |    | 75,047      |       | 57,100      | 76%            |    | 80,047      |     | 49.913      | 62%    |
| SPECIAL POP. INTERPRETOR                   |    | 114,397     |       | 125,714     | 110%           |    | 114,397     |     | 64,201      | 56%    |
| COMP. SOFTWARE, HARDWARE, LICENSE & SERV.  |    | 2,694,283   |       | 3,321,042   | 123%           |    | 2,577,607   |     | 3,228,431   | 125%   |
| TRAVEL & PROFESSIONAL DEVELOPMENT          |    | 536,923     |       | 474,553     | 88%            |    | 486,036     |     | 432,910     | 89%    |
| ELECTION                                   |    | 190,000     |       | 7,953       | 0%             |    | -           |     | 402,510     | 0%     |
| SECURITY                                   |    | 1,515,000   |       | 1,615,051   | 107%           |    | 1,058,300   |     | 1,344,063   | 127%   |
| RECRUITMENT                                |    | 32,000      |       | 18,159      | 57%            |    | 32,000      |     | 26,334      | 82%    |
| FOOD BEVERAGE                              |    | 89,301      |       | 72,107      | 81%            |    | 87,133      |     | 67,199      | 77%    |
| LIBRARY                                    |    | 269,476     |       | 214,021     | 79%            |    | 269,476     |     | 232,948     | 86%    |
| BAD DEBT                                   |    | 151,707     |       | 151,708     | 100%           |    | 250,000     |     | 151,709     | 61%    |
| MEMBERSHIP & DUES                          |    | 242,044     |       | 259,896     | 107%           |    | 228,903     |     | 200.089     | 87%    |
| MEMBERSHIP & DUES/INDIRECT ADVOCACY        |    | 8,926       |       | 153         | 2%             |    | 8,926       |     | 114         | 1%     |
| UTILITIES & TELEPHONE                      |    | 2,825,447   |       | 2,989,594   | 106%           |    | 3,354,392   |     | 2,964,855   | 88%    |
| INSURANCE                                  |    | 3,724,250   |       | 4,242,078   | 114%           |    | 2,705,000   |     | 2,794,998   | 103%   |
| BANK & COLLECTION FEES                     |    | 192,800     |       | 148,975     | 77%            |    | 192,800     |     | 178,414     | 93%    |
| CAMPUS POLICE                              |    | 302,858     |       | 43,159      | 14%            |    | 513,000     |     | 120,920     | 24%    |
| TUITION BOND TRANSFERS OUT                 |    | 1,955,500   |       | 1,955,500   | 100%           |    | 1,951,000   |     | 1,951,000   | 100%   |
| MISCELLANEOUS                              |    | 436,915     |       | 463,391     | 106%           |    | 488,265     |     | 382,389     | 78%    |
| TOTAL NON-SALARY                           | \$ | 27,585,126  | \$    | 26,909,331  | 98%            | \$ | 25,608,137  | \$  | 25,637,540  | 100%   |
| CONTINGENCY                                | S  | 1,720,591   |       | 1,180,080   | 69%            | \$ | 1,663,863   | 1   | 1,144,550   | 69%    |
| TOTAL CONTINGENCY                          | \$ | 1,720,591   | \$    | 1,180,080   | 69%            | \$ | 1,663,863   | \$  | 1,144,550   | 69%    |
| TOTAL EXPENDITURES                         | \$ | 114,706,068 | \$    | 110,102,490 | 96%            | \$ | 110,924,159 | \$  | 106,427,201 | 96%    |
| NET INCOME FROM OPERATIONS                 |    |             | \$    | 4,750,248   |                |    | ,           | \$  | 837,875     |        |
|  |    |             |       |             |                |    |             |     |             |        |
| CURRENT NET FUNDS AVAILABLE FOR OPERATIONS |    |             | \$    | 4,750,248   |                |    |             | \$  | 837,875     |        |

# DEL MAR COLLEGE BALANCE SHEET CURRENT OPERATING FUNDS As of August 31, 2023

|  |    | FY2023       |    | FY2022       |    | Change       |
|--|----|--------------|----|--------------|----|--------------|
| 00   |    |              |    |              |    |              |
| ASSETS: 77   |    |              |    |              |    |              |
| CASH   | \$ | 1,351,140    | \$ | 5,129,939    | S  | (3,778,799)  |
| INVESTMENTS  | Ψ  | 57.282.061   | Ψ  | 56,429,325   | Ψ  | 852,736      |
| PREPAID EXPENSE                                      |    | 07,202,001   |    | 271,808      |    | (271,808)    |
| ACCOUNTS RECEIVABLE                                  |    |              |    | 27 1,000     |    | (271,000)    |
| ACCRUED INTEREST                                     |    | 290,351      |    | 81,708       |    | 208,643      |
| STUDENT & OTHER RECEIVABLES                          |    | 6,992,941    |    | 7,098,137    |    | (105,196)    |
| PROPERTY TAX RECEIVABLE                              |    | 1,501,074    |    |              |    | 26,553       |
|  |    |              |    | 1,474,521    |    |              |
| DEFERRED OUTFLOWS PENSION & OPEB                     |    | 7,656,792    |    | 9,865,098    |    | (2,208,306)  |
| TOTAL ASSETS   | \$ | 75,074,359   | \$ | 80,350,536   | \$ | (5,276,177)  |
| LIABILITIES:   |    |              |    |              |    |              |
| ACCOUNTS PAYABLE:                                    |    |              |    |              |    |              |
| ACCOUNTS PAYABLE                                     | \$ | 3,704,905    | \$ | 10,455,413   | \$ | (6,750,508)  |
| SALARIES & BENEFITS PAYABLE                          |    | 1,180,080    |    | 1,144,550    |    | 35,530       |
| ESTIMATED SICK LEAVE & VAC. PAYABLE                  |    | 7,994,411    |    | 7,940,871    |    | 53,540       |
| NET PENSION AND OPEB LIABILITY                       |    | 77,505,362   |    | 83,266,173   |    | (5,760,811)  |
| DEFERRED INCOME:                                     |    |              |    |              |    |              |
| DEFERRED TUITION                                     |    | 9,260,513    |    | 9,583,170    |    | (322,657)    |
| DEFERRED INFLOWS RELATED TO PENSION & OPEB           |    | 17,674,078   |    | 19,133,666   |    | (1,459,588)  |
| REVENUE BOND PAYABLE                                 |    | -            |    | -            |    | (1,100,000)  |
| TOTAL LIABILITIES                                    | \$ | 117,319,349  | \$ | 131,523,843  | \$ | (14,204,494) |
|  |    |              |    |              |    |              |
| NET POSITION-UNRESTRICTED                            |    |              |    |              |    |              |
| UNRESTRICTED FUND BALANCE FROM OPERATIONS            | \$ | 31,927,410   | \$ | 31,923,559   | \$ | 3,851        |
| RISK RESERVE   |    | 8,600,000    |    | 8,600,000    |    |              |
| REDUCTION RELATED TO NET PENSION & OPEB FUND BALANCE |    | (87,522,648) |    | (92,534,741) |    | 5,012,093    |
| CURRENT YEAR INCOME IN EXCESS OF EXPENSE             |    | 4,750,248    |    | 837,875      |    | 3,912,373    |
| TOTAL NET POSITION                                   | \$ | (42,244,990) | \$ | (51,173,307) | \$ | 8,928,317    |
| TOTAL LIABILITIES AND NET POSITION                   | \$ | 75,074,359   | \$ | 80,350,536   | \$ | (5,276,177)  |
|  |    | ,,           | _  | ,,           |    | (-,-,-,-,    |

# Del Mar College Financial Record System

# Bank 41 Colleague

| ck    | Date Payee   | Amount | Description   |
|-------|--|--------|---|
| 78306 | 8/1/2023 Bay Area Time                                 | \$     | 97.50 Office Supplies                                 |
| 78307 | 8/1/2023 Beacon Technologies                           |        | 630.00 Maint Agree-Software                           |
| 78308 | 8/1/2023 Bio-Rad Laboratories                          |        | 2,113.93 Instructional Supplies                       |
| 78309 | 8/1/2023 BrandSafway LLC                               |        | 699.99 Instructional Supplies                         |
| 78310 | 8/1/2023 Chicago Distribution Ctr                      |        | 204.67 Library Books                                  |
| 78311 | 8/1/2023 Columbia Advisory Group LLC                   |        | 2,250.00 Consultants                                  |
| 78312 | 8/1/2023 Corpus Christi Electric Co Inc                |        | 15.26 Supplies - Other                                |
| 78313 | 8/1/2023 Corpus Christi Stamp Works Inc                |        | 48.44 Instructional Supplies                          |
| 78314 | 8/1/2023 Facility Interiors, Inc                       |        | 1,324.88 < 5,000 Furn and Fix Not Cap                 |
| 78315 | 8/1/2023 Flowers Baking Company                        |        | 143.67 Food Supplies                                  |
| 78316 | 8/1/2023 Gobi Library Solutions from EB                |        | 116.09 Library Books                                  |
| 78317 | 8/1/2023 HEB Grocery Company                           |        | 27.39 Food Supplies                                   |
| 78318 | 8/1/2023 Home Depot                                    |        | 894.04 Instructional Supplies                         |
| 78319 | 8/1/2023 Jean's Restaurant Supply                      |        | 165.03 Instructional Supplies                         |
| 78320 | 8/1/2023 Lakeshore Learning Materials                  |        | 2,836.58 Instructional Supplies                       |
| 78321 | 8/1/2023 McKesson Medical-Surgical Gove                |        | 37.90 Instructional Supplies                          |
| 78322 | 8/1/2023 Mission Restaurant Supply                     |        | 67.65 Instructional Supplies                          |
| 78323 | 8/1/2023 Modo Labs Inc                                 |        | 47,800.00 Software Desk Lic Fees                      |
| 78324 | 8/1/2023 N. Martinez & Associates Inc                  |        | 1,200.00 Contract Labor                               |
| 78326 | 8/1/2023 Sam's Club                                    |        | 124.38 Food Supplies                                  |
| 78327 | 8/1/2023 South Texas Music Mart                        |        | 655.00 Repairs & Maintenance                          |
| 78328 | 8/1/2023 Texas Wood Supply                             |        | 189.58 Instructional Supplies                         |
| 78329 | 8/1/2023 Time Warner Cable                             |        | 2,615.54 Telephone                                    |
| 78330 | 8/1/2023 UniFirst                                      |        | 365.56 Uniforms                                       |
| 78331 | 8/1/2023 VWR International LLC                         |        | 1,294.23 Instructional Supplies                       |
| 78332 | 8/3/2023 AT & T  |        | 2,052.77 Telephone                                    |
| 78333 | 8/3/2023   |        | 5.00 A/R - Students                                   |
| 78334 | 8/3/2023 Corpus Christi Safe & Lock Co                 |        | 52.50 Building Structure                              |
| 78335 | 8/3/2023 Design Science Inc                            |        | 92.02 Software Desk Lic Fees                          |
| 78336 | 8/3/2023 DEX Imaging LLC                               |        | 905.41 Copier Rental                                  |
| 78337 | 8/3/2023 Ewing Irrigation Products Inc                 |        | 558.17 Site Supplies                                  |
| 78338 | 8/3/2023 Gobi Library Solutions from EB                |        | 18.90 Library Books                                   |
| 78339 | 8/3/2023 Home Depot                                    |        | 2,193.62 Building Structure                           |
| 78340 | 8/3/2023 Inveris Training Solutions, In                |        | 75,828.51 > 5,000 Equipment Capitalized               |
| 78341 | 8/3/2023 JL Squared Construction                       |        | 1,700.00 Contractors                                  |
| 78342 | 8/3/2023 Lawrence Greenwood                            |        | 1,942.00 Instructional Supplies                       |
| 78343 | 8/3/2023 Lone Star Piano Tuning                        |        | 880.00 Repairs & Maintenance                          |
| 78344 | 8/3/2023   |        | 5.00 A/R - Students                                   |
| 78345 | 8/3/2023 Marietta Nondestructive Testin                |        | 4,200.00 Repairs & Maintenance                        |
| 78346 | 8/3/2023 McKesson Medical-Surgical Gove                |        | 685.34 Instructional Supplies                         |
| 78347 | 8/3/2023   |        | 110.00 A/R - Students                                 |
| 78348 | 8/3/2023 Munoz Engineering                             |        | 20,260.00 Architect Fees                              |
| 78349 | 8/3/2023 Nucces County WCID #3                         |        | 51.31 Water   |
| 78350 | 8/3/2023 Outreach Systems                              |        | 3,330.00 Memberships & Dues                           |
| 78351 | 8/3/2023 Republic Services Inc                         |        | 3,728.06 Disposal Trash                               |
| 78352 | 8/3/2023 Robstown Hardware Company Inc                 |        |   |
|       |  |        | 1,147.67 Site Supplies<br>600.00 A/P - Direct Deposit |
| 78353 | 8/3/2023 Ray Saenz                                     |        |   |
| 78354 | 8/3/2023 Second Baptist Church<br>8/3/2023 SonoSim Inc |        | 400.00 Childcare                                      |
| 78355 |  |        | 599.00 Software Desk Lic Fees                         |

# **Financial Record System**

### Bank 41 Colleague

|       | Date Payee                               | Amount Description                      |
|-------|--|---|
| 8357  | 8/3/2023 UniFirst                        | 170.18 Uniforms                         |
| 78358 | 8/3/2023 US Omni & TSACG Compliance Ser  | 750.00 Consultants                      |
| 8359  | 8/3/2023 Victoria Advocate               | 460.00 Funds Held for Others            |
| 8360  | 8/3/2023 VWR International LLC           | 421.26 Instructional Supplies           |
| 78361 | 8/3/2023 Xerox Business Solutions South  | 1,048.09 AP Copier Leasing              |
| 8362  | 8/3/2023                                 | 901.00 A/R - Students                   |
| 78363 | 8/3/2023                                 | 190.00 A/R - Students                   |
| 78364 | 8/3/2023                                 | 1,193.00 A/R - Students                 |
| 78365 | 8/8/2023 Aquatic Renovations             | 600.00 Repairs & Maintenance            |
| 78366 | 8/8/2023 Nanette Ayala                   | 88.00 Travel                            |
| 8367  | 8/8/2023 Bio-Rad Laboratories            | 70.03 Instructional Supplies            |
| 8368  | 8/8/2023 Chef Rubber                     | 1,993.40 < 5,000 Equip Not Cap INVT     |
| 8369  | 8/8/2023 Coastal Welding Supply Inc      | 3,976.00 Instructional Supplies         |
| 8370  | 8/8/2023 Computer Solutions              | 15,334.34 < 5,000 Computer Not Cap INVT |
| 8371  | 8/8/2023 Corpus Christi Stamp Works Inc  | 90.38 Office Supplies                   |
| 8372  | 8/8/2023 DEX Imaging LLC                 | 20.72 Copier Rental                     |
| 8373  | 8/8/2023 Facility Solutions Group        | 38.25 Electrical                        |
| 8374  | 8/8/2023 Gobi Library Solutions from EB  | 36.00 Library Books                     |
| 8375  | 8/8/2023 Hannon Hill Corporation         | 40,623.81 Software Desk Lic Fees        |
| 8376  | 8/8/2023 HEB Grocery Company             | 916.45 Instructional Supplies           |
| 8377  | 8/8/2023 Home Depot                      | 3,428.08 HVAC                           |
| 8378  | 8/8/2023 Jotform Inc                     | 7,479.60 Software Desk Lic Fees         |
| 8379  | 8/8/2023 MediaValet Inc                  | 16,200.00 Software Desk Lic Fees        |
| 8380  | 8/8/2023 Mission Restaurant Supply       | 572.00 Supplies - Other                 |
| 8381  | 8/8/2023 Mission Restaurant Supply       | 4,543.55 Repairs & Maintenance          |
| 8382  | 8/8/2023 Pittsburg Paints                | 375.47 Building Structure               |
| 8383  | 8/8/2023 Procter & Gamble Distributing   | 75.84 Instructional Supplies            |
| 8384  | 8/8/2023 ReadSpeaker LLC                 | 4,650.00 Software Desk Lic Fees         |
| 8385  | 8/8/2023 Republic Services Inc           | 2,859.91 Disposal Trash                 |
| 8386  | 8/8/2023 Ricoh USA Inc                   | 1,815.69 Copier Rental                  |
| 8387  | 8/8/2023 Ricoh USA Inc                   | 1,462.29 Copier Rental                  |
| 8388  | 8/8/2023 Sherwin Williams                | 227.91 Building Structure               |
| 8389  | 8/8/2023 Shopbot Tools, Inc.             | 3,723.00 Instructional Supplies         |
| 8390  | 8/8/2023 Stewart Dean Bearing Inc        | 20.50 HVAC                              |
| 8391  | 8/8/2023 T-Mobile USA Inc                | 4,707.62 Telephone                      |
| 8392  | 8/8/2023 Task Force Tips Holdings, LLC   | 152.40 Instructional Supplies           |
| 8393  | 8/8/2023 Texas A&M Univ-Corpus Christi   | 78.00 Instructional Supplies            |
| 8394  | 8/8/2023 Third Coast Distributing        | 76.93 Instructional Supplies            |
| 8395  | 8/8/2023 Thomson Reuters- West           | 2,104.69 Software Desk Lic Fees         |
| 8396  | 8/8/2023 Time Warner Cable               | 592.10 Telephone                        |
| 8397  | 8/8/2023 Time Warner Cable               | 565.23 Telephone                        |
| 8398  | 8/8/2023 Toshiba Business Solutions      | 3,206.64 AP Copier Leasing              |
| 8399  | 8/8/2023 TXU Energy                      | 198,137.63 Electricity                  |
| 8400  | 8/8/2023 UniFirst                        | 7.75 Uniforms                           |
| 8401  | 8/8/2023 United Refrigeration Inc.       | 258.95 HVAC                             |
| 8402  | 8/8/2023 VTX Communications LLC          | 304.00 Telephone                        |
| 8403  | 8/8/2023 VWR International LLC           | 3,019.85 Instructional Supplies         |
| 8404  | 8/10/2023 A & A Graphics Supply, Inc     | 367.10 Supplies - Other                 |
| 8405  | 8/10/2023 Alamo Iron Works               | 5,189.92 Instructional Supplies         |
| 8406  | 8/10/2023 Alliance Health Resources Mobi | 2,405.00 Online Services                |

# **Financial Record System**

### Bank 41 Colleague

|       |  | ayee   | Amount Description   |
|-------|--|--|--|
| 78407 | 8/10/2023 Ba   | ay Area Time   | 1,700.00 Office Supplies                                   |
| 78408 | 8/10/2023  |  | 28.00 A/R - Students                                       |
| 78409 | the last of the second second  | g M Pest Control   | 67.50 Repairs & Maintenance                                |
| 78410 | 8/10/2023  |  | 200.00 A/R - Students                                      |
| 78411 |  | orpus Christi Builders   | 517.00 Building Structure                                  |
| 78412 | 8/10/2023 D  | aMedical USA Equipment LLC   | 9,590.00 < 5,000 Equip Not Cap INVT                        |
| 78413 | 8/10/2023 Ed   | colab Inc  | 86.28 Repairs & Maintenance                                |
| 78414 | 8/10/2023 Ev   | wing Irrigation Products Inc   | 62.43 Site Supplies  |
| 78415 | 8/10/2023 Fa   | cility Solutions Group   | 865.00 Electrical  |
| 78416 | 8/10/2023 FI   | eetpride   | 1,469.08 Repairs & Maintenance                             |
| 78417 | 8/10/2023 Rt   | ussell J. Greene   | 1,045.15 Travel  |
| 78418 | 8/10/2023 H  | EB Grocery Company   | 202.36 Instructional Supplies                              |
| 78419 | 8/10/2023 He   | ose of South Texas   | 184.23 Repairs & Maintenance                               |
| 78420 | 8/10/2023  |  | 404.00 A/R - Students                                      |
| 78421 | 8/10/2023 In   | telligent Ultrasound North A   | 6,500.00 Software Desk Lic Fees                            |
| 78422 |  | terstate Batteries of  | 668.40 Repairs & Maintenance                               |
| 78423 | 8/10/2023 M  | ove It Storage - Ayers Street  | 585.00 Rent Expense  |
| 78424 |  | etsync Network Solutions   | 40,358.00 < 5,000 Computer Not Cap INVT                    |
| 78425 |  | orthern Safety Company Inc   | 1,995.80 Supplies - Other                                  |
| 78426 |  | ueces County Community Action  | 723.00 Windward Check Clearing Acct                        |
| 78427 | 8/10/2023 Pa   |  | 1,500.82 Instructional Supplies                            |
| 78428 | 8/10/2023 Pr   | esspage Inc  | 16,960.00 Software Desk Lic Fees                           |
| 78429 |  | oforma Total Print Source  | 528.00 Production, Publications & Prom                     |
| 78430 |  | epublic Services Inc   | 404.34 Supplies - Other                                    |
| 78431 | 8/10/2023  |  | 248.00 A/R - Students                                      |
| 78432 |  | enograph LLC   | 1,200.00 Instructional Supplies                            |
| 78433 |  | nird Coast Distributing  | 212.82 Instructional Supplies                              |
| 78434 |  | me Warner Cable  | 1,683.73 Telephone   |
| 78435 |  | me Warner Cable  | 183.97 Telephone   |
| 78436 |  | me Warner Cable  | 8,304.27 Telephone   |
| 78437 |  | WR International LLC   | 281.40 Instructional Supplies                              |
| 78438 |  | nnuity Investment  | 50.00 A/P - TSA  |
| 78439 | 8/11/2023  | marcy myestment  | 196.74 A/P - Direct Deposit                                |
| 78440 |  | duciary Trust Company of New   | 20.00 A/P - TSA  |
| 78441 |  | nancial Management Services  | 142.22 A/P - IRS Levy                                      |
| 78442 |  | S Austin Service Center  | 25.00 A/P - IRS Levy                                       |
| 78443 |  | las RFID Solutions Store LLC   | 19,000.00 Supplies - Other                                 |
| 78444 |  | g M Pest Control   | 95.00 Repairs & Maintenance                                |
| 78445 |  | eronica A. Blair   | 68.78 Travel   |
| 78446 | 8/15/2023 BS   |  | 1,107.99 Supplies - Other                                  |
| 78447 | 100 miles   100 mi | napmans Garage Doors Inc   | 1,107.99 Supplies - Other  175.00 SC NC Building Structure |
| 78448 |  | orpus Christi Electric Co Inc  | 414.61 Supplies - Other                                    |
| 78449 | 8/15/2023 Cd<br>8/15/2023 Di   | Control of the second s |  |
| 78450 | 8/15/2023 Ga   |  | 295.80 P & S - Other                                       |
| 78451 |  |  | 1,066.09 Instructional Supplies                            |
|       |  | obi Library Solutions from EB  | 349.49 Library Books                                       |
| 78452 |  | ulf Coast Nut and Bolt Supply  | 5.00 Repairs & Maintenance                                 |
| 78453 |  | EB Grocery Company   | 197.34 Food Supplies                                       |
| 78454 |  | terstate Batteries of  | 115.48 Repairs & Maintenance                               |
| 78455 | 8/15/2023 De   |  | 45.00 Non Faculty Stipend                                  |
| 78456 | 8/15/2023 PM   | NC Bank  | 4,240,575.00 Bond Principal                                |
|       |  |  |  |

# Del Mar College Financial Record System

### Bank 41 Colleague

| _     | Date Payee   | Amount Description                  |
|-------|--|-------------------------------------|
| 8457  | 8/15/2023 Richter Architects   | 24,407.32 Architect Fees            |
| 78458 | 8/15/2023 Sam's Club   | 31.20 Food Supplies                 |
| 78459 | 8/15/2023 Scantron Corporation   | 885.00 Maint Agree-Software         |
| 78460 | 8/15/2023 Screening One Inc  | 605.00 Online Services              |
| 78461 | 8/15/2023 TASB Risk Management Fund  | 1,078.04 Workman's Comp             |
| 78462 | 8/15/2023 TASB Risk Management Fund  | 13,241.38 Unemployment              |
| 78463 | 8/15/2023 Time Warner Cable  | 632.24 Telephone                    |
| 78464 | 8/15/2023 U.S. Bank Voyager Fleet System                                     | 10,707.34 Fuel/Oil                  |
| 78465 | 8/15/2023 UniFirst   | 513.94 Uniforms                     |
| 78466 | 8/15/2023 United Parcel Service Inc  | 117.45 Postage                      |
| 78467 | 8/17/2023 ADEC Inc   | 750.00 Repairs & Maintenance        |
| 78468 | 8/17/2023 AIM Media Texas Operating,LLC                                      | 859.14 Funds Held for Others        |
| 78469 | 8/17/2023 American Association of Colleg                                     | 1,510.00 Memberships & Dues         |
| 78470 | 8/17/2023 AT & T   | 8,611.42 Telephone                  |
| 78471 | 8/17/2023  | 5.00 A/R - Students                 |
| 78472 | 8/17/2023 Bay Area Time  | 150.00 Repairs & Maintenance        |
| 78473 | 8/17/2023 Coastal Welding Supply Inc   | 3,613.50 Repairs & Maintenance      |
| 78474 | 8/17/2023 Dexter Manikin Repair  | 3,000.00 Instructional Supplies     |
| 78475 | 8/17/2023 Facility Solutions Group   | 918.18 Electrical                   |
| 78476 | 8/17/2023 Flowers Baking Company   | 223.25 Food Supplies                |
| 78477 | 8/17/2023  | 55.00 A/R - Students                |
| 78478 | 8/17/2023 Krystal C. Harvey  | 72.00 Travel                        |
| 78479 | 8/17/2023 HEB Grocery Company  | 63.39 Food Supplies                 |
| 78480 | 8/17/2023 Identisys Inc  | 539.00 Instructional Supplies       |
| 78481 | 8/17/2023 Jean's Restaurant Supply   | 2,250.00 Instructional Supplies     |
| 78482 | 8/17/2023 sean's nestaurant supply   | 1,485.00 A/R - Students             |
| 78483 | 8/17/2023 McKesson Medical-Surgical Gove                                     | 2,437.52 < 5,000 Equip Not Cap INVT |
| 78484 | 8/17/2023 Nickesson Medical-Surgical Gove                                    | 1,941.46 < 5,000 Equip Not Cap INVT |
| 78485 | 8/17/2023 Scantron Corporation   | 256.29 Instructional Supplies       |
| 78486 | 8/17/2023 Swagelok Austin  | 1,450.05 Instructional Supplies     |
| 78487 | 8/17/2023 Texas Association of Community                                     | 46,408.00 Memberships & Dues        |
| 78488 | 8/17/2023 Texas Association of Community 8/17/2023 Texas Chiller Systems LLC | 5,807.00 SC NC HVAC                 |
| 78489 | 8/17/2023 Texas Chiller Systems ELC<br>8/17/2023 Toshiba Business Solutions  | 473.50 Copier Rental                |
| 78490 | 8/17/2023 Tosinoa Business 30iutions<br>8/17/2023 UniFirst                   | 97.32 Uniforms                      |
|       | 8/17/2023 United Refrigeration Inc   |                                     |
| 78491 |  | 26.94 HVAC                          |
| 78492 | 8/17/2023 US Foods Inc   | 741.45 Food Supplies                |
| 78493 | 8/17/2023 VWR International LLC  | 2,705.55 < 5,000 Equip Not Cap INVT |
| 78494 | 8/17/2023 Woody's Truck Center   | 113.15 Repairs & Maintenance        |
| 78495 | 8/17/2023 Xerox Financial Services   | 4,705.28 AP Copier Leasing          |
| 78496 | 8/17/2023  | 528.75 A/R - Students               |
| 78497 | 8/24/2023 ADEC Inc   | 304.20 Repairs & Maintenance        |
| 78498 | 8/24/2023 American Allied Health   | 85,405.00 Student Reimb Exp         |
| 78499 | 8/24/2023 Barcodes, Inc  | 995.60 Supplies - Other             |
| 78500 | 8/24/2023 Beacon Technologies  | 149.50 Maint Agree-Software         |
| 78501 | 8/24/2023 Big M Pest Control   | 174.00 Repairs & Maintenance        |
| 78502 | 8/24/2023 Bio-Rad Laboratories   | 370.07 Instructional Supplies       |
| 78503 | 8/24/2023 Camacho Demolition LLC   | 13,700.00 Contractors               |
| 78504 | 8/24/2023 Corpus Christi Electric Co Inc                                     | 229.27 Supplies - Other             |
| 78505 | 8/24/2023 Cristo Torres Plumbing   | 3,200.00 Contractors                |
| 78506 | 8/24/2023 DEX Imaging LLC  | 580.13 Copier Rental                |

# **Financial Record System**

# Bank 41 Colleague

|      | Payee Payee                              | Amount Description                       |
|------|--|--|
| 8507 | 8/24/2023 Facility Solutions Group       | 93.50 Electrical                         |
| 8508 | 8/24/2023 Fleetpride                     | 322.46 Repairs & Maintenance             |
| 8509 | 8/24/2023 Fulton Coastcon a Joint Ventur | 387,841.61 Contractors                   |
| 3510 | 8/24/2023 GreatAmerica Financial Service | 548.00 Equipment Maintenance Subscrip    |
| 8511 | 8/24/2023 Gulf Coast Nut and Bolt Supply | 37.01 Instructional Supplies             |
| 8512 | 8/24/2023 HEB Grocery Company            | 133.35 Instructional Supplies            |
| 8513 | 8/24/2023 Home Depot                     | 529.13 Instructional Supplies            |
| 3514 | 8/24/2023 Lone Star Piano Tuning         | 1,300.00 Repairs & Maintenance           |
| 8515 | 8/24/2023 Mellis LLC                     | 1,814.47 Contract Labor                  |
| 3516 | 8/24/2023 Northern Safety Company Inc    | 320.00 Supplies - Other                  |
| 3517 | 8/24/2023 Patterson Dental Company       | 2,365.52 Instructional Supplies          |
| 8518 | 8/24/2023 Proforma Total Print Source    | 2,344.50 Supplies - Other                |
| 3519 | 8/24/2023 Proforma Total Print Source    | 3,131.25 Funds Held for Others           |
| 8520 | 8/24/2023 Proforma Total Print Source    | 662.50 Funds Held for Others             |
| 8521 | 8/24/2023 Ricoh USA Inc                  | 4.36 Copier Rental                       |
| 8522 | 8/24/2023 Ricoh USA Inc                  | 99.47 Copier Rental                      |
| 3523 | 8/24/2023 Salesforce, Inc.               | 1,170.00 Software Desk Lic Fees          |
| 8524 | 8/24/2023 San Patricio County Appraisal  | 1,501.20 Tax Appraisal Fee               |
| 8525 | 8/24/2023 Time Warner Cable              | 3,044.85 Telephone                       |
| 8526 | 8/24/2023 Tronair Inc                    | 18,195.50 > 5,000 Equipment Capitalized  |
| 3527 | 8/24/2023 United Rentals North America I | 525.00 Repairs & Maintenance             |
| 3528 | 8/24/2023 VWR International LLC          | 302.40 Instructional Supplies            |
| 3529 | 8/24/2023 Xerox Business Solutions South | 1,725.71 AP Copier Leasing               |
| 3530 | 8/25/2023 Annuity Investment             | 50.00 A/P - TSA                          |
| 3531 | 8/25/2023 Fiduciary Trust Company of New | 20.00 A/P - TSA                          |
| 3532 | 8/25/2023 Financial Management Services  | 201.27 A/P - IRS Levy                    |
| 3533 | 8/25/2023 IRS Austin Service Center      | 25.00 A/P - IRS Levy                     |
| 3534 | 8/25/2023 David L. Potter                | 38,171.54 Accrued Compensable Absence LT |
| 3535 | 8/25/2023                                | 391.09 A/R - Students                    |
| 3536 | 8/25/2023                                | 580.00 A/R - Students                    |
| 3537 | 8/25/2023                                | 960.31 A/R - Students                    |
| 3538 | 8/25/2023                                | 1,558.89 A/R - Students                  |
| 3539 | 8/29/2023 Allied Universal Security Serv | 174,356.19 Security Services             |
| 3540 | 8/29/2023 AT & T                         | 1,825.16 Telephone                       |
| 3541 | 8/29/2023 Bickerstaff Heath Delgado      | 375.00 Legal Fees                        |
| 3542 | 8/29/2023 Camacho Demolition LLC         | 17,400.00 Contractors                    |
| 3543 | 8/29/2023 Cyberone, Llc                  | 48,444.49 Software Desk Lic Fees         |
| 3544 | 8/29/2023 Educause                       | 1,544.00 Software Desk Lic Fees          |
| 3545 | 8/29/2023 Ewing Irrigation Products Inc  | 131.67 Site Supplies                     |
| 3546 | 8/29/2023 Facility Solutions Group       | 2,040.00 Contractors                     |
| 3547 | 8/29/2023 The Frame Up                   | 3,466.67 Office Supplies                 |
| 3548 | 8/29/2023 Grunwald Printing Co Inc       | 1,672.00 Advertising                     |
| 549  | 8/29/2023 Home Depot                     | 1,770.67 Repairs & Maintenance           |
| 3550 | 8/29/2023 Inveris Training Solutions, In | 69,000.00 > 5,000 Computers Capitalized  |
| 3551 | 8/29/2023 Konica Minolta                 | 5,634.91 Copier Rental                   |
| 3552 | 8/29/2023 Lone Star Piano Tuning         | 1,300.00 Repairs & Maintenance           |
| 3553 | 8/29/2023 Nueces County Appraisal        | 246,767.00 Tax Appraisal Fee             |
| 3554 | 8/29/2023 Ragic Inc                      | 159.60 Software Desk Lic Fees            |
| 8555 | 8/29/2023 Sam's Club                     | 571.66 Funds Held for Others             |
| 3556 | 8/29/2023 TASB Risk Management Fund      | 1,000.00 Insurance - Auto                |

## **Financial Record System**

# Bank 41 Colleague

|       | Date Payee  | Amount Description                      |
|-------|---|---|
| 78557 | 8/29/2023 Time Warner Cable                                   | 2,801.78 Telephone                      |
| 78558 | 8/29/2023 Time Warner Cable                                   | 2,714.30 Telephone                      |
| 78559 | 8/29/2023 Time Warner Cable                                   | 2,610.03 Telephone                      |
| 78560 | 8/29/2023 Time Warner Cable                                   | 2,610.03 Telephone                      |
| 78561 | 8/29/2023 Time Warner Cable                                   | 100.51 Telephone                        |
| 78562 | 8/29/2023 UniFirst  | 332.39 Supplies - Other                 |
| 78563 | 8/30/2023 Annuity Investment                                  | 2,331.65 A/P - ORP                      |
| 78564 | 8/30/2023 Fiduciary Trust Company of New                      | 4,498.92 A/P - ORP                      |
| 78565 | 8/30/2023 Galic   | 300.00 A/P - TSA                        |
| 78566 | 8/30/2023   | 377.94 A/R - Students                   |
| 78567 | 8/30/2023   | 305.75 A/R - Students                   |
| 78568 | 8/30/2023   | 226.17 A/R - Students                   |
| 78569 | 8/30/2023 National Life Insurance Compan                      | 12,157.27 A/P - ORP                     |
| 78570 | 8/30/2023 Newport Trust Company                               | 4,371.60 A/P - ORP                      |
| 78571 | 8/30/2023 Putnam Investments (TSA)                            | 750.00 A/P - TSA                        |
| 78572 | 8/30/2023 Yvonne V. Valdez Trustee                            | 350.00 A/P - Bankruptcy                 |
| 78573 | 8/31/2023 Advance Auto Parts                                  | 1,253.69 Instructional Supplies         |
| 78574 | 8/31/2023 AIM Media Texas Operating,LLC                       | 523.18 Funds Held for Others            |
| 78575 | 8/31/2023 Allied Universal Security Serv                      | 109,408.08 Security Services            |
| 78576 | 8/31/2023 Aquatic Renovations                                 | 17,662.80 Instructional Supplies        |
| 78577 | 8/31/2023 AT & T  | 39.24 Telephone                         |
| 78578 | 8/31/2023 Barcodes, Inc                                       | 7,305.36 < 5,000 Computer Not Cap INVT  |
| 78579 | 8/31/2023 BSN Sports LLC                                      | 971.64 Production, Publications & Prom  |
| 78580 | 8/31/2023 CDS Analytical LLC                                  | 4,080.00 > 5,000 Equipment Capitalized  |
| 78581 | 8/31/2023 Coastal Welding Supply Inc                          | 10,027.78 Instructional Supplies        |
| 78582 | 8/31/2023 Corpus Christi Builders                             | 122.50 Building Structure               |
| 78583 | 8/31/2023 Corpus Christi Electric Co Inc                      | 51.46 Supplies - Other                  |
| 78584 | 8/31/2023 Corpus Christi Safe & Lock Co                       | 20.00 Building Structure                |
| 78585 | 8/31/2023 Daikin Applied                                      | 10,499.00 SC NC HVAC                    |
| 78586 | 8/31/2023 DEX Imaging LLC                                     | 31.87 Copier Rental                     |
| 78587 | 8/31/2023 DiaMedical USA Equipment LLC                        | 9,590.00 < 5,000 Equip Not Cap INVT     |
| 78588 | 8/31/2023 Ewing Irrigation Products Inc                       | 70.77 Site Supplies                     |
| 78589 | 8/31/2023 Facility Interiors, Inc                             | 2,670.92 < 5,000 Furn and Fix Not Cap   |
| 78590 | 8/31/2023 Facility Interiors, Inc                             | 658.40 < 5,000 Furn and Fix Not Cap     |
| 78591 | 8/31/2023 Facility Solutions Group                            | 1,233.08 Electrical                     |
| 78592 | 8/31/2023 GTS Technology Solutions Inc                        | 40,451.78 Software Desk Lic Fees        |
| 78593 | 8/31/2023 HEB Grocery Company                                 | 464.80 Food Supplies                    |
| 78594 | 8/31/2023 Home Depot  | 5,773.91 < 5,000 Equip Not Cap INVT     |
| 78595 | 8/31/2023 Hose of South Texas                                 | 37.28 Instructional Supplies            |
| 78596 | 8/31/2023 Johnson Bros Bakery Supply Inc                      | 1,363.78 Instructional Supplies         |
| 78597 | 8/31/2023 Merry X-Ray Corporation                             | 4,480.34 Repairs & Maintenance          |
| 78598 | 8/31/2023 Mitchell 1  | 1,589.00 Software Desk Lic Fees         |
| 78599 | 8/31/2023 National Association for the                        | 650.00 Accreditation Expense            |
| 78600 | 8/31/2023 Northern Safety Company Inc                         | 1,638.30 Other General Expense          |
| 78601 | 8/31/2023 Nucces County                                       |   |
| 78602 | 8/31/2023 Oil Patch Petroleum Inc                             | 11,252.11 Tax Assessing & Collecting    |
| 78603 | 8/31/2023 Oil Patch Petroleum Inc                             | 8.50 Repairs & Maintenance              |
| 78604 | 8/31/2023 Patterson Dental Company 8/31/2023 Pittsburg Paints | 22,026.30 > 5,000 Equipment Capitalized |
| 78605 |   | 466.39 Building Structure               |
|       | 8/31/2023 Proforma Total Print Source                         | 186.25 Production, Publications & Prom  |
| 78606 | 8/31/2023 Proforma Total Print Source                         | 290.00 Production, Publications & Prom  |

## **Financial Record System**

### Bank 41 Colleague

|         | Date Payee                               | Amount Description                       |
|---------|--|--|
| 78607   | 8/31/2023 Promo Universal LLC            | 2,749.00 Production, Publications & Prom |
| 78608   | 8/31/2023 RDA Promart                    | 1,194.06 Instructional Supplies          |
| 78609   | 8/31/2023 Sam's Club                     | 201.74 Funds Held for Others             |
| 78610   | 8/31/2023 Scantron Corporation           | 1,361.50 Software Desk Lic Fees          |
| 78611   | 8/31/2023 Second Baptist Church          | 60.00 Childcare                          |
| 78612   | 8/31/2023 Stewart Dean Bearing Inc       | 356.54 HVAC                              |
| 78614   | 8/31/2023 Time Warner Cable              | 292.55 Telephone                         |
| 78615   | 8/31/2023 Time Warner Cable              | 834.42 Telephone                         |
| 78616   | 8/31/2023 Time Warner Cable              | 834.42 Telephone                         |
| 78617   | 8/31/2023 Toshiba Business Solutions     | 2,748.34 AP Copier Leasing               |
| 78618   | 8/31/2023 TXU Energy                     | 147,773.96 Electricity                   |
| 78619   | 8/31/2023 U.S. Bank Voyager Fleet System | 12,315.39 Fuel/Oil                       |
| 78620   | 8/31/2023 UniFirst                       | 84.43 Uniforms                           |
| 78621   | 8/31/2023 US Foods Inc                   | 1,901.55 Instructional Supplies          |
| 78622   | 8/31/2023 VWR International LLC          | 350.89 Instructional Supplies            |
| 0033819 | 8/1/2023 Dinzin N. Bronola-Rada          | 250.00 Contract Labor                    |
| 0033820 | 8/1/2023 Paul T. Creacy                  | 248.68 Travel                            |
| 0033821 | 8/1/2023 Maria Gonzalez                  | 9,500.00 Contract Labor                  |
| 0033822 | 8/1/2023 Sara J. King                    | 203.18 Travel                            |
| 0033823 | 8/1/2023 Graciela M. Martinez            | 88.00 Travel                             |
| 0033824 | 8/1/2023 Jessica M. Montalvo-Cummings    | 173.08 Travel                            |
| 0033825 | 8/1/2023 Maria Velma Pena                | 984.97 Travel                            |
| 0033826 | 8/1/2023 Joseph Ruiz                     | 96.00 Travel                             |
| 0033827 | 8/1/2023 Jennifer L. Sramek              | 863.67 Travel                            |
| 0033828 | 8/1/2023 Joel S. Sullivan                | 137.00 Travel                            |
| 0033829 | 8/1/2023 ABM Industry Groups LLC         | 108,685.02 Contractors                   |
| 0033830 | 8/1/2023 Airgas USA                      | 73.95 Instructional Supplies             |
| 0033831 | 8/1/2023 Amazon.Com LLC                  | 13,923.17 Office Supplies                |
| 0033832 | 8/1/2023 Anthology Inc                   | 24,023.13 < 5,000 Software Not Cap INVT  |
| 0033833 | 8/1/2023 Assessment Technologies         | 3,500.00 Testing Supplies                |
| 0033834 | 8/1/2023 B & H Photo Video Pro Audio     | 352.50 Supplies - Other                  |
| 0033835 | 8/1/2023 Carolina Biological Supply      | 737.32 Instructional Supplies            |
| 0033836 | 8/1/2023 CC Lawn Pros, LLC               | 10,100.00 Contractors                    |
| 0033837 | 8/1/2023 City of Corpus Christi          | 3,759.83 Gas                             |
| 0033838 | 8/1/2023 Corpus Christi Freightliner     | 1,277.06 Repairs & Maintenance           |
| 0033839 | 8/1/2023 Corpus Christi Produce          | 161.08 Food Supplies                     |
| 0033840 | 8/1/2023 Culligan Water Conditioning     | 75.00 Instructional Supplies             |
| 0033841 | 8/1/2023 Ferguson Enterprises Inc        | 513.85 Plumbing                          |
| 0033842 | 8/1/2023 Gateway Printing & Office Supp  | 486.47 Instructional Supplies            |
| 0033843 | 8/1/2023 Grainger Inc                    | 2,941.41 Instructional Supplies          |
| 0033844 | 8/1/2023 Henry Schein Inc                | 781.03 Instructional Supplies            |
| 0033845 | 8/1/2023 Johnstone Supply                | 717.51 HVAC                              |
| 0033846 | 8/1/2023 Labatt Food Service LLC         | 3,916.72 Food Supplies                   |
| 0033847 | 8/1/2023 Meeder Public Funds, Inc.       | 2,166.00 Consultants                     |
| 0033848 | 8/1/2023 Nalco Company LLC               | 1,204.32 Chemical-Water Treatment        |
| 0033849 | 8/1/2023 O'Reilly Auto Parts             | 104.05 Supplies - Automotive             |
| 0033850 | 8/1/2023 Pepsi Cola Corpus Christi       | 329.03 Food Supplies                     |
| 0033850 | 8/1/2023 Puffer Sweiven LP               | 1,008.00 Repairs & Maintenance           |
| 0033851 | 8/1/2023 Safeguard System Inc            | 1,045.00 Contract Labor                  |
| 0000002 | of 1/2020 DateBoard System inc           | 1,045.00 Contract Labor                  |

# Financial Record System

# Bank 41 Colleague Disbursements for dates 08/01/2023 thru 08/31/2023

| Check    | Date                                    | Payee                          | Amount | Description                             |
|----------|---|--------------------------------|--------|---|
| E0033854 | 8/1/2023                                | Shi Government Solutions       | 47     | ,250.00 Maint Agree-Software            |
| E0033855 | 8/1/2023                                | Terracon Consultants Inc       | 2      | ,534.75 Consultants                     |
| E0033856 | 8/1/2023                                | Texas Gulf Coast JATC          | 11     | ,395.60 Consultants                     |
| E0033857 | 8/1/2023                                | You Name It Specialties Inc    | 4      | ,385.82 Production, Publications & Prom |
| E0033858 | 8/3/2023                                | Alicia D. Hart                 |        | 400.00 Contract Labor                   |
| E0033859 | 8/3/2023                                | Krista L. Heideman             |        | 15.83 Instructional Supplies            |
| E0033860 | 8/3/2023                                | Scott Krall                    |        | 400.00 Contract Labor                   |
| E0033861 | 8/3/2023                                | Davis D. Merrell               |        | 399.30 Travel                           |
| E0033862 | 8/3/2023                                | A-Auto Tech                    | 1      | ,805.06 Repairs & Maintenance           |
| E0033863 | 8/3/2023                                | Accreditation Commission for E | 7.     | ,875.00 Accreditation Expense           |
| E0033864 | 8/3/2023                                | Airgas USA                     | 2      | ,877.45 Instructional Supplies          |
| E0033865 | 8/3/2023                                | Amazon.Com LLC                 | 4,     | ,088.95 Library Books                   |
| E0033866 | 8/3/2023                                | Arc Document Solutions Llc     |        | 167.34 P & S - Other                    |
| 0033867  | 8/3/2023                                | Bank of New York Mellon        | 1      | ,500.00 Paying Agency Fee               |
| 0033868  | 8/3/2023                                | Concentra Medical Center       |        | 270.00 Employee Med Exam                |
| 0033869  |   | EAN Services LLC               |        | 233.06 Travel                           |
| E0033870 |   | Ellucian Company Lp            |        | ,146.00 Maint Agree-Software            |
| E0033871 |   | Felix Diesel Service Inc       |        | 452.76 Repairs & Maintenance            |
| E0033872 |   | Ferguson Enterprises Inc       |        | 173.39 Plumbing                         |
| E0033873 |   | Fisher Scientific Company LLC  |        | ,009.75 Instructional Supplies          |
| 0033874  |   | Gateway Printing & Office Supp |        | ,715.31 Office Supply Payable           |
| E0033875 |   | Grainger Inc                   |        | ,751.66 Instructional Supplies          |
| 0033876  |   | Johnstone Supply               |        | ,323.38 HVAC                            |
| 0033877  |   | Labatt Food Service LLC        |        | 812.84 Food Supplies                    |
| 0033878  |   | LK Jordan & Associates         |        | ,916.27 Contract Labor                  |
| 0033879  | 2 | Nalco Company LLC              |        | 780.00 Chemical-Water Treatment         |
| 0033880  | 100000000000000000000000000000000000000 | O'Reilly Auto Parts            |        | 21.66 P & S - Other                     |
| 0033881  |   | Safeguard System Inc           |        | 157.50 Contract Labor                   |
| 0033882  |   | Terracon Consultants Inc       |        | 738.50 Consultants                      |
| E0033883 |   | Texas Book Company             |        | ,717.00 Participant Support Costs       |
| E0033884 |   | Texas Gulf Coast JATC          |        | ,269.96 Consultants                     |
| E0033885 |   | You Name It Specialties Inc    |        | 509.61 Production, Publications & Prom  |
| E0033886 |   | Epitacio Carpentier, Jr.       |        | 129.82 Instructional Supplies           |
| E0033887 | 8/8/2023                                |                                |        | ,000.00 Non Faculty Stipend             |
| E0033888 |   | Alberto Rodriguez              |        | 250.00 Contract Labor                   |
| 0033889  |   | Teresa Saldivar                |        | 500.00 Contract Labor                   |
| 0033890  |   | Mayra V. Zamora                |        | 500.00 Contract Labor                   |
| 0033891  |   | Airgas USA                     |        | ,971.29 Instructional Supplies          |
| E0033892 |   | All Points Environmental LLC   |        | ,430.00 Environmental Compliance        |
| E0033893 |   | Amazon.Com LLC                 |        | ,262.87 Repairs & Maintenance           |
| E0033894 |   | Anderson Marketing Group       | 2.0.0  | ,319.39 Advertising                     |
| 0033895  |   | Assessment Technologies        |        | ,500.00 Testing Supplies                |
| E0033896 |   | CDWG LLC                       |        | ,197.48 < 5,000 Computer Not Cap INVT   |
| E0033897 |   | Cintas Corporation             |        | 699.13 Contractors                      |
| E0033898 |   | Clampitt Paper Co of San Anton |        | 373.34 Supplies - Other                 |
| E0033899 |   | Columbia Electric Supply       |        | ,336.25 Electrical                      |
| E0033990 |   | Ferguson Enterprises Inc       |        | 413.58 Plumbing                         |
| 0033900  |   | Franklin Covey Client Sales In |        | 423.50 Instructional Supplies           |
| 0033901  |   | Garda CL Southwest Inc         |        | ,119.78 Security Services               |
| E0033902 |   | Gateway Printing & Office Supp |        | ,251.75 Instructional Supplies          |
| 2022203  | 0/0/2023                                | Gareway Filling & Office Supp  | 1,     | ,231.73 HISTIUCTIONAL SUPPLIES          |

# **Financial Record System**

# Bank 41 Colleague

| Check    | Date   | Payee   | Amount    | Description                     |
|----------|--|---|-----------|---------------------------------|
| E0033904 | 8/8/2023   | Grainger Inc  | 3,225.38  | Instructional Supplies          |
| E0033905 | 8/8/2023   | Iconic Sign Group LLC   | 11,033.00 | Advertising                     |
| E0033906 | 8/8/2023   | Safeguard System Inc  | 146.25    | Contract Labor                  |
| E0033907 | 8/8/2023   | Shoreline Plumbing Co   | 3,587.00  | Repairs & Maintenance           |
| E0033908 | 8/8/2023   | Softdocs  | 71,581.91 | Software Desk Lic Fees          |
| E0033909 | 8/8/2023   | Touchnet Information System   | 1,758.65  | Student Ref Exp                 |
| E0033910 | 8/8/2023   | Turner Ramirez Associates Inc   | 19,689.15 | Architect Fees                  |
| E0033911 | 8/8/2023   | Weaver  | 42,597.31 | Audit Fees                      |
| E0033912 | 8/8/2023   | Wilson Consulting for Higher E  | 30,718.75 | < 5,000 Software Not Cap INVT   |
| 0033913  | 8/8/2023   | You Name It Specialties Inc   |           | Production, Publications & Prom |
| 0033914  | 8/10/2023  | Albert R. Agnich, Jr.   | 689.81    | Travel                          |
| 0033915  | 8/10/2023  | Jasmine D. Anderson   | 935.23    | Travel                          |
| 0033916  | 8/10/2023  | Patricia S. Benavides-Domingue  | 828.64    | Travel                          |
| 0033917  |  | Ann B. Fierova  | 309.75    | Travel                          |
| 0033918  | 8/10/2023  | Angelica A. Gomez-Johnson   | 214.30    | Travel                          |
| 0033919  |  | Edward J. Goodroe   | 429.57    | Travel                          |
| 0033920  |  | Sara M. Greer   | 81.00     | Travel                          |
| 0033921  |  | Raul Greses, Jr.  | 98.00     | Travel                          |
| 0033922  |  | Tara D. Ivey  | 418.58    |                                 |
| 0033923  |  | Graciela M. Martinez  | 221.34    | Travel                          |
| 0033924  |  | Robert P. Montez  | 405.30    | Travel                          |
| 0033925  |  | Candice E. Moreland   |           | Travel                          |
| 0033926  |  | Bradley T. Norquist   |           | Travel                          |
| 0033927  |  | Victoria L. Pannone   |           | Travel                          |
| 0033928  |  | Odella M. Rodriguez   |           | Travel                          |
| 0033929  |  | Israel Villanueva   | 2,217.53  |                                 |
| 0033930  |  | Airgas USA  | 20010000  | Instructional Supplies          |
| 0033931  |  | Amazon.Com LLC  |           | Office Supplies                 |
| 0033932  |  | Americo Fin & Annuity Ins Co  |           | A/P - TSA                       |
| 0033934  |  | Bugpro Inc  |           | Repairs & Maintenance           |
| 0033935  |  | Bumper to Bumper Easy CDL   |           | Online Services                 |
| 0033936  |  | CAE Healthcare Inc  |           | > 5,000 Equipment Capitalized   |
| 0033937  |  | CC Lawn Pros, LLC   |           | Contractors                     |
| 0033938  |  | Cintas Corporation  |           | Contractors                     |
| 0033939  |  | Colonial Security Life Ins  |           | A/P - Optional Life             |
| 0033940  |  | Columbia Electric Supply  |           | Electrical                      |
| 0033941  | The Part of the Control of the Contr | Corpus Christi Athletic Club  |           | Corpus Christi Athletic Club    |
| 0033942  |  | Corpus Christi Freightliner   |           | Repairs & Maintenance           |
| 0033943  |  | Critical Mention Inc  |           | Software Desk Lic Fees          |
| 0033944  |  | Del Mar College Foundation  |           | Foundation Contributions        |
| 0033945  |  | Ferguson Enterprises Inc  |           | Plumbing                        |
| 0033946  |  | Fisher Scientific Company LLC   |           | Instructional Supplies          |
| 0033947  | The second second  | Franklin Covey Client Sales In  |           | Instructional Supplies          |
| 0033948  | The state of the state of  | Grainger Inc  |           | Instructional Supplies          |
| 0033949  |  | Henry Schein Inc  |           | Instructional Supplies          |
| 0033950  |  | Johnstone Supply  | 1,465.54  |                                 |
| 0033951  |  | Made in Corpus Christi LLC  |           | Consultants                     |
| 0033951  | 8/10/2023  | Charles and the second |           | A/P - TSA                       |
| 0033953  |  | Reliastar Life Insurance Co   |           | A/P - TSA                       |
| E0033954 |  | Shi Government Solutions  |           | < 5,000 Computer Not Cap INVT   |

# **Financial Record System**

# Bank 41 Colleague

|         | Date Payee                               | Amount Description                    |
|---------|--|---------------------------------------|
| 0033955 | 8/10/2023 Shoreline Plumbing Co          | 5,970.00 SC NC Plumbing               |
| 0033956 | 8/10/2023 Southern Tire Mart             | 462.00 Repairs & Maintenance          |
| 0033957 | 8/10/2023 TK Elevator Corporation        | 7,963.42 Repairs & Maintenance        |
| 0033958 | 8/15/2023 Jessica A. Alaniz              | 303.27 Travel                         |
| 0033959 | 8/15/2023                                | 90.00 Non Faculty Stipend             |
| 0033960 | 8/15/2023                                | 135.00 Non Faculty Stipend            |
| 0033961 | 8/15/2023                                | 135.00 Non Faculty Stipend            |
| 0033962 | 8/15/2023 Maria F. Guerra                | 239.57 Travel                         |
| 0033963 | 8/15/2023                                | 135.00 Non Faculty Stipend            |
| 0033964 | 8/15/2023 Jason B. Houlihan              | 32.10 Travel                          |
| 0033965 | 8/15/2023 Warren G. Madden               | 999.96 Travel                         |
| 0033966 | 8/15/2023                                | 2,000.00 Non Faculty Stipend          |
| 0033967 | 8/15/2023 Emily M. Petrikas              | 2,743.09 Professional Development     |
| 0033968 | 8/15/2023 Angela Saiz                    | 35.38 Travel                          |
| 0033969 | 8/15/2023 Teri D. Samo                   | 812.80 Travel                         |
| 0033970 | 8/15/2023 Jeannette G. Viera             | 159.00 Travel                         |
| 0033971 | 8/15/2023 Anna D. Villegas               | 296.25 Travel                         |
| 0033972 | 8/15/2023 Kathleen M. Westergren         | 216.17 Travel                         |
| 0033973 | 8/15/2023                                | 135.00 Non Faculty Stipend            |
| 0033974 | 8/15/2023 Airgas USA                     | 382.70 Instructional Supplies         |
| 0033975 | 8/15/2023 Amazon.Com LLC                 | 2,372.94 Library Books                |
| 0033976 | 8/15/2023 B & H Photo Video Pro Audio    | 317.34 < 5,000 Computer Not Cap INVT  |
| 0033977 | 8/15/2023 Baxter Healthcare Corporation  | 150.00 Software Desk Lic Fees         |
| 0033978 | 8/15/2023 Bird's Rubber Stamps           | 78.45 Office Supplies                 |
| 0033979 | 8/15/2023 Bugpro Inc                     | 1,084.00 Repairs & Maintenance        |
| 0033980 | 8/15/2023 CC Lawn Pros, LLC              | 11,700.00 Contractors                 |
| 0033981 | 8/15/2023 CDWG LLC                       | 207.07 < 5,000 Computer Not Cap INVT  |
| 0033982 | 8/15/2023 City of Corpus Christi         | 15,742.58 Gas                         |
| 0033983 | 8/15/2023 Clampitt Paper Co of San Anton | 60.42 Supplies - Other                |
| 0033984 | 8/15/2023 Corpus Christi Freightliner    | 76.82 Instructional Supplies          |
| 0033985 | 8/15/2023 Corpus Christi Produce         | 338.62 Food Supplies                  |
| 0033986 | 8/15/2023 Culligan Water Conditioning    | 280.00 Instructional Supplies         |
| 0033987 | 8/15/2023 Deaf and Hard of Hearing Cente | 330.00 Special POP Interpretor        |
| 0033988 | 8/15/2023 Ferguson Enterprises Inc       | 106.30 Plumbing                       |
| 0033989 | 8/15/2023 Fisher Scientific Company LLC  | 1,007.32 Instructional Supplies       |
| 0033990 | 8/15/2023 Garda CL Southwest Inc         | 1,119.78 Security Services            |
| 0033991 | 8/15/2023 Gateway Printing & Office Supp | 5,990.24 < 5,000 Furn and Fix Not Cap |
| 0033992 | 8/15/2023 Grainger Inc                   | 2,954.85 HVAC                         |
| 0033993 | 8/15/2023 Gulf Coast Paper Co Inc        | 1,037.32 Instructional Supplies       |
| 0033994 | 8/15/2023 Iconic Sign Group LLC          | 11,033.00 Advertising                 |
| 0033995 | 8/15/2023 Johnstone Supply               | 425.65 HVAC                           |
| 0033996 | 8/15/2023 Legacy Preschool Portland      | 400.00 Childcare                      |
| 0033997 | 8/15/2023 LK Jordan & Associates         | 1,468.91 Contract Labor               |
| 0033998 | 8/15/2023 Nalco Company LLC              | 2,682.06 Chemical-Water Treatment     |
| 0033999 | 8/15/2023 Nueces Electric Cooperative    | 1,699.28 Electricity                  |
| 0034000 | 8/15/2023 O'Reilly Auto Parts            | 63.51 P & S - Other                   |
| 0034001 | 8/15/2023 Parchment LLC                  | 5,871.75 Transcript Fee               |
| 0034002 | 8/15/2023 Pinnacle Medical Management    | 185.00 Online Services                |
| 0034003 | 8/15/2023 Schneider Electric             | 24,350.00 Software Desk Lic Fees      |
| 0034004 | 8/15/2023 SecureTech                     | 863.10 Software & Service Subscriptio |

# Financial Record System

# Bank 41 Colleague

| heck    | Date Payee                               | Amount Description                       |
|---------|--|--|
| 0034005 | 8/15/2023 Shi Government Solutions       | 3,494.51 Software Desk Lic Fees          |
| 0034006 | 8/15/2023 Wittigs Office Interiors Inc   | 3,673.75 < 5,000 Furn and Fix Not Cap    |
| 0034008 | 8/17/2023 D'Andrea S. Chavez             | 103.49 Travel                            |
| 0034009 | 8/17/2023 Liana Joslin                   | 72.71 Travel                             |
| 0034010 | 8/17/2023 D Ann M. Molina                | 211.98 Travel                            |
| 0034011 | 8/17/2023 Candice E. Moreland            | 154.00 Travel                            |
| 0034012 | 8/17/2023 Bradley T. Norquist            | 493.75 Travel                            |
| 0034013 | 8/17/2023 Veronica A. Renaud             | 155.24 Travel                            |
| 0034014 | 8/17/2023 Roberto Ruiz                   | 100.00 Travel                            |
| 0034015 | 8/17/2023 Stefanie A. Salazar            | 140.00 Travel                            |
| 0034016 | 8/17/2023 Carolina Salinas Hinojosa      | 150.00 Contract Labor                    |
| 0034017 | 8/17/2023 Crystal J. Seehorn             | 193.90 Travel                            |
| 0034018 | 8/17/2023 Michael C. Stineman            | 311.15 Travel                            |
| 0034019 | 8/17/2023 James K. Swindle               | 1,000.00 Contract Labor                  |
| 0034020 | 8/17/2023 Daiyuan Zhang                  | 224.43 Travel                            |
| 0034021 | 8/17/2023 ACI Payments Inc               | 531.73 Bank Expenses                     |
| 0034022 | 8/17/2023 Airgas USA                     | 46.63 Instructional Supplies             |
| 0034023 | 8/17/2023 All Points Environmental LLC   | 3,890.00 Environmental Compliance        |
| 0034024 | 8/17/2023 Alpha Building Corporation     | 8,615.45 Contractors                     |
| 0034025 | 8/17/2023 Amazon.Com LLC                 | 7,404.99 < 5,000 Computer Not Cap INVT   |
| 0034026 | 8/17/2023 Anderson Marketing Group       | 24,962.48 Advertising                    |
| 0034027 | 8/17/2023 Arrow Display Signs            | 2,134.30 Production, Publications & Prom |
| 0034028 | 8/17/2023 Bumper to Bumper Easy CDL      | 883.15 Online Services                   |
| 0034029 | 8/17/2023 Cintas Corporation             | 699.13 Contractors                       |
| 0034030 | 8/17/2023 Columbia Electric Supply       | 69.22 Electrical                         |
| 0034031 | 8/17/2023 Command Commissioning Llc      | 62,243.05 Consultants                    |
| 0034032 | 8/17/2023 Cornell Smith Mierl Brutocao B | 280.00 Legal Fees                        |
| 0034033 | 8/17/2023 Corpus Christi Freightliner    | 148.67 Repairs & Maintenance             |
| 0034034 | 8/17/2023 Corpus Christi Produce         | 369.21 Food Supplies                     |
| 0034035 | 8/17/2023 Ebsco Subscription Services    | 9,932.00 Library - Elec Resource         |
| 0034036 | 8/17/2023 Everest Water and Coffee LLC   | 736.86 Instructional Supplies            |
| 0034037 | 8/17/2023 Felix Diesel Service Inc       | 6,919.04 Repairs & Maintenance           |
| 0034038 | 8/17/2023 Ferguson Enterprises Inc       | 10.80 Plumbing                           |
| 0034039 | 8/17/2023 Fisher Scientific Company LLC  | 1,580.63 Instructional Supplies          |
| 0034040 | 8/17/2023 Franklin Covey Client Sales In | 29,959.20 Software Desk Lic Fees         |
| 0034041 | 8/17/2023 Grainger Inc                   | 979.67 HVAC                              |
| 0034042 | 8/17/2023 Graves Dougherty Hearon        | 1,545.00 Legal Fees                      |
| 0034043 | 8/17/2023 Johnstone Supply               | 441.33 HVAC                              |
| 0034044 | 8/17/2023 Labatt Food Service LLC        | 3,706.72 Food Supplies                   |
| 0034045 | 8/17/2023 Nalco Company LLC              | 701.14 Chemical-Water Treatment          |
| 0034046 | 8/17/2023 Pepsi Cola Corpus Christi      | 1,147.22 Food Supplies                   |
| 0034047 | 8/17/2023 SecureTech                     | 9,450.00 Consultants                     |
| 0034048 | 8/17/2023 Shoreline Plumbing Co          | 1,635.00 SC NC Plumbing                  |
| 0034049 | 8/17/2023 SpawGlass Contractors Inc      | 757,276.07 Const Cost - Contractors      |
| 0034050 | 8/17/2023 Touchnet Information System    | 1,502.65 Student Ref Exp                 |
| 0034051 | 8/17/2023 Victory Building Team          | 121,289.06 Contractors                   |
| 0034052 | 8/17/2023 You Name It Specialties Inc    | 1,798.78 Production, Publications & Prom |
| 0034053 | 8/24/2023 Carlos A. Garanzuay            | 171.00 Travel                            |
| 0034054 | 8/24/2023 Alberto J. Garcia              | 497.80 Travel                            |
| 0034055 | 8/24/2023 Angelica A. Gomez-Johnson      | 358.65 Travel                            |

# **Financial Record System**

# Bank 41 Colleague

|         | Date Payee  | Amount Description                      |
|---------|---|---|
| 0034056 | 8/24/2023 Mr. Daniel W. Korus                               | 194.54 Travel                           |
| 0034057 | 8/24/2023 Melody A. Lawrence                                | 160.25 Travel                           |
| 0034058 | 8/24/2023   | 778.00 Non Faculty Stipend              |
| 0034059 | 8/24/2023 Davis D. Merrell                                  | 981.33 Travel                           |
| 0034060 | 8/24/2023 Karen L. Ostberg                                  | 1,974.80 Professional Development       |
| 0034061 | 8/24/2023 Mandi L. Overby                                   | 198.98 Travel                           |
| 0034062 | 8/24/2023 Eva V. Sepulveda                                  | 41.28 Travel                            |
| 0034063 | 8/24/2023 Lisa A. Sullivan                                  | 137.00 Travel                           |
| 0034064 | 8/24/2023 Liza Torres                                       | 187.35 Travel                           |
| 0034065 | 8/24/2023 Gene Vargas                                       | 600.00 Contract Labor                   |
| 0034066 | 8/24/2023 Domingo Vela, Jr.                                 | 215.68 Travel                           |
| 0034067 | 8/24/2023 Airgas USA  | 38.25 Repairs & Maintenance             |
| 0034068 | 8/24/2023 All Points Environmental LLC                      | 2,442.00 Environmental Compliance       |
| 0034069 | 8/24/2023 Altex Electronics                                 | 5,967.50 PC Maintenance Supplies        |
| 0034070 | 8/24/2023 Amazon.Com LLC                                    | 1,519.39 Instructional Supplies         |
| 0034071 | 8/24/2023 Americo Fin & Annuity Ins Co                      | 25.00 A/P - TSA                         |
| 0034072 | 8/24/2023 Apple Computer Inc                                | 2,016.00 < 5,000 Computer Not Cap INVT  |
| 0034073 | 8/24/2023 B & H Photo Video Pro Audio                       | 31,592.20 Office Supplies               |
| 0034074 | 8/24/2023 Bird's Rubber Stamps                              | 186.00 Instructional Supplies           |
| 0034075 | 8/24/2023 Carolina Biological Supply                        | 9,328.82 Instructional Supplies         |
| 0034076 | 8/24/2023 CC Lawn Pros, LLC                                 | 2,925.00 Contractors                    |
| 0034077 | 8/24/2023 CDWG LLC  | 12,009.00 < 5,000 Computer Not Cap INVT |
| 0034078 | 8/24/2023 City of Corpus Christi                            | 27,153.95 Water                         |
| 0034079 | 8/24/2023 Clampitt Paper Co of San Anton                    | 377.96 Supplies - Other                 |
| 0034080 | 8/24/2023 Colonial Security Life Ins                        | 35.22 A/P - Optional Life               |
| 0034081 | 8/24/2023 Corpus Christi Athletic Club                      | 168.35 Corpus Christi Athletic Club     |
| 0034082 | 8/24/2023 Corpus Christi Freightliner                       | 219.16 Repairs & Maintenance            |
| 0034083 | 8/24/2023 Del Mar College Foundation                        | 74.50 Foundation Contributions          |
| 0034084 | 8/24/2023 EAN Services LLC                                  | 218.51 Funds Held for Others            |
| 0034085 | 8/24/2023 Ferguson Enterprises Inc                          | 291.82 Plumbing                         |
| 0034086 | 8/24/2023 Fisher Scientific Company LLC                     | 396.20 Instructional Supplies           |
| 0034087 | 8/24/2023 Gateway Printing & Office Supp                    | 23,498.55 Instructional Supplies        |
| 0034088 | 8/24/2023 Grainger Inc                                      | 6,057.34 Instructional Supplies         |
| 0034089 | 8/24/2023 Grimco, Inc                                       | 449.70 Supplies - Other                 |
| 0034090 | 8/24/2023 Gulf Coast Paper Co Inc                           | 125.94 Instructional Supplies           |
| 0034091 | 8/24/2023 Iconic Sign Group LLC                             | 8,466.00 Advertising                    |
| 0034092 | 8/24/2023 JL Squared Construction                           | 120,000.00 Contractors                  |
| 0034093 | 8/24/2023 Johnstone Supply                                  | 104.02 HVAC                             |
| 0034094 | 8/24/2023 Koetter Fire Protection of Cor                    | 19,519.00 Repairs & Maintenance         |
| 0034095 | 8/24/2023 Metlife   | 137.50 A/P - TSA                        |
| 0034096 | 8/24/2023 O'Reilly Auto Parts                               | 4.99 P & S - Other                      |
| 0034097 | 8/24/2023 Patricia Bell                                     | 900.00 Contract Labor                   |
| 0034098 | 8/24/2023 RegisterBlast                                     | 2,197.00 Hobet Test                     |
| 0034099 | 8/24/2023 Reliastar Life Insurance Co                       | 75.00 A/P - TSA                         |
| 0034099 | 8/24/2023 Safeguard System Inc                              | 906.25 Repairs & Maintenance            |
| 0034101 | 8/24/2023 Schneider Electric                                | 11,820.00 SC NC HVAC                    |
|         | 8/24/2023 SecureTech  |   |
| 0034102 | 8/24/2023 Secure Fech<br>8/24/2023 Shi Government Solutions | 1,138.50 Maint Agree-Software           |
| 0034103 |   | 575.18 < 5,000 Computer Not Cap INVT    |
| 0034104 | 8/24/2023 Texas Automation Systems Llc                      | 240.00 Contractors                      |

# **Financial Record System**

# Bank 41 Colleague

| Check    | Date Payee                                 | Amount Description                       |
|----------|--|--|
| E0034106 | 8/24/2023 You Name It Specialties Inc      | 1,144.84 Production, Publications & Prom |
| E0034107 | 8/29/2023 Kristie M. Amparan               | 220.40 Travel                            |
| E0034108 | 8/29/2023 Corlea L. Cervantes              | 39.05 Instructional Supplies             |
| E0034109 | 8/29/2023 Carlos A. Garanzuay              | 88.00 Travel                             |
| E0034110 | 8/29/2023 Celia Garza                      | 964.21 Travel                            |
| E0034111 | 8/29/2023 Omar Gonzalez                    | 38.66 Travel                             |
| E0034112 | 8/29/2023 Jonda L. Halcomb                 | 507.91 Travel                            |
| E0034113 | 8/29/2023 Emily T. Longoria                | 645.34 Travel                            |
| E0034114 | 8/29/2023 Kayla M. Lopez                   | 96.00 Travel                             |
| E0034115 | 8/29/2023 Roland M. Luis                   | 258.59 Travel                            |
| E0034116 | 8/29/2023 Debbie A. Salazar Mondragon      | 166.00 Travel                            |
| E0034117 | 8/29/2023 Angela N. Soto                   | 389.08 Travel                            |
| E0034118 | 8/29/2023 Natalie C. Villarreal            | 301.30 Travel                            |
| E0034119 | 8/29/2023 Ms. Karen F. Williams            | 159.84 Food & Beverage                   |
| E0034120 | 8/29/2023 Laura N. Wright                  | 67.72 Instructional Supplies             |
| 0034121  | 8/29/2023 Airgas USA                       | 1,314.85 Instructional Supplies          |
| E0034122 | 8/29/2023 Altex Electronics                | 34.08 PC Maintenance Supplies            |
| E0034123 | 8/29/2023 Amazon.Com LLC                   | 2,398.43 Library Books                   |
| E0034124 | 8/29/2023 B & H Photo Video Pro Audio      | 22,391.18 Supplies - Other               |
| E0034125 | 8/29/2023 City of Corpus Christi           | 668.10 Gas                               |
| E0034126 | 8/29/2023 Corpus Christi Freightliner      | 1,512.04 Repairs & Maintenance           |
| E0034127 | 8/29/2023 Corpus Christi Produce           | 193.68 Food Supplies                     |
| E0034128 | 8/29/2023 Everest Water and Coffee LLC     | 436.20 Food Supplies                     |
| E0034129 | 8/29/2023 Ferguson Enterprises Inc         | 172.06 Supplies - Other                  |
| E0034130 | 8/29/2023 Fisher Scientific Company LLC    | 737.54 Instructional Supplies            |
| E0034131 | 8/29/2023 Gateway Printing & Office Supp   | 16,988.55 Repairs & Maintenance          |
| E0034132 | 8/29/2023 Grainger Inc                     | 3,995.15 Instructional Supplies          |
| E0034133 | 8/29/2023 Johnstone Supply                 | 36.92 HVAC                               |
| E0034134 | 8/29/2023 OOH LA LA Candy Buffets          | 2,755.00 Funds Held for Others           |
| E0034135 | 8/29/2023 Touchnet Information System      | 63,198.00 Software Desk Lic Fees         |
| E0034136 | 8/31/2023 Elizabeth A. Adamson             | 620.52 Travel                            |
| E0034137 | 8/31/2023 Tania L. Aho                     | 22.27 Travel                             |
| E0034137 | 8/31/2023                                  | 659.00 Federal                           |
| E0034138 | 8/31/2023 Daniel J. Arredondo, II          | 658.18 Travel                            |
| E0034140 | 8/31/2023 Damers, Arredondo, II            | 659.00 Federal                           |
| E0034141 | 8/31/2023 Janet M. Blanke                  | 600.00 Contract Labor                    |
| E0034141 | 8/31/2023 Sonia E. Carreon                 | 183.40 Travel                            |
| E0034142 | 8/31/2023 Jennifer Dawn                    | 332.93 Travel                            |
| E0034144 | 8/31/2023<br>8/31/2023                     |  |
| E0034144 | 8/31/2023                                  | 659.00 Federal                           |
| E0034145 | 8/31/2023 Joshua D. Delagarza Guevara      | 659.00 Federal                           |
| E0034146 | 8/31/2023                                  | 54.00 Funds Held for Others              |
|          |  | 659.00 Federal                           |
| E0034148 | 8/31/2023<br>8/31/2023 Mr. Garul, Griffith | 659.00 Federal                           |
| E0034149 | 8/31/2023 Mr. Gary L. Griffith             | 151.96 Travel                            |
| E0034150 | 8/31/2023                                  | 659.00 Federal                           |
| E0034151 | 8/31/2023                                  | 659.00 Federal                           |
| E0034152 | 8/31/2023 Nicole A. Kindzirsky             | 380.61 Travel                            |
| E0034153 | 8/31/2023 Robert V. Marraro, Jr.           | 65.51 Travel                             |
| E0034154 | 8/31/2023                                  | 659.00 Federal                           |
| E0034155 | 8/31/2023 Michael C. Stineman              | 341.26 Travel                            |

# **Financial Record System**

### Bank 41 Colleague

|          | Date Payee                               | Amount Description                      |
|----------|--|---|
| 0034156  | 8/31/2023                                | 659.00 Federal                          |
| E0034157 | 8/31/2023 Christin M. Vega               | 1,199.68 Professional Development       |
| 0034158  | 8/31/2023 Thomas A. Villanueva           | 163.80 Travel                           |
| 0034159  | 8/31/2023 Airgas USA                     | 10,327.46 < 5,000 Equip Not Cap INVT    |
| 0034160  | 8/31/2023 All Points Environmental LLC   | 793.00 Environmental Compliance         |
| 0034161  | 8/31/2023 Amazon.Com LLC                 | 2,979.41 Instructional Supplies         |
| 0034162  | 8/31/2023 B & H Photo Video Pro Audio    | 7,823.14 Supplies - Other               |
| 0034163  | 8/31/2023 Bird's Rubber Stamps           | 31.00 Office Supplies                   |
| 0034164  | 8/31/2023 Bumper to Bumper Easy CDL      | 632.45 Online Services                  |
| 0034165  | 8/31/2023 Carolina Biological Supply     | 30.52 Instructional Supplies            |
| 0034166  | 8/31/2023 CC Lawn Pros, LLC              | 9,100.00 Contractors                    |
| 0034167  | 8/31/2023 CDWG LLC                       | 10,771.65 < 5,000 Computer Not Cap INVT |
| 0034168  | 8/31/2023 Cintas Corporation             | 1,189.94 Contractors                    |
| 0034169  | 8/31/2023 City of Corpus Christi         | 197.94 Gas                              |
| 0034170  | 8/31/2023 Colonial Security Life Ins     | 246.42 A/P - Optional Life              |
| 0034171  | 8/31/2023 Columbia Electric Supply       | 896.06 Electrical                       |
| 0034172  | 8/31/2023 Command Commissioning Llc      | 4,640.80 Consultants                    |
| 0034173  | 8/31/2023 Concentra Medical Center       | 405.00 Employee Med Exam                |
| 0034174  | 8/31/2023 Corpus Christi Athletic Club   | 3,891.59 Corpus Christi Athletic Club   |
| 0034175  | 8/31/2023 Corpus Christi Freightliner    | 66.51 Repairs & Maintenance             |
| 0034176  | 8/31/2023 Corpus Christi Produce         | 92.31 Food Supplies                     |
| 0034177  | 8/31/2023 Culligan Water Conditioning    | 444.85 Instructional Supplies           |
| 0034178  | 8/31/2023 Del Mar College Foundation     | 3,572.67 Foundation Contributions       |
| 0034179  | 8/31/2023 EAN Services LLC               | 19.72 Travel                            |
| 0034180  | 8/31/2023 Everest Water and Coffee LLC   | 130.00 Food Supplies                    |
| 0034181  | 8/31/2023 Felix Diesel Service Inc       | 2,638.02 Repairs & Maintenance          |
| 0034182  | 8/31/2023 Ferguson Enterprises Inc       | 135.52 Plumbing                         |
| 0034183  | 8/31/2023 Fisher Scientific Company LLC  | 727.96 Instructional Supplies           |
| 0034184  | 8/31/2023 Gateway Printing & Office Supp | 7,232.06 Office Supplies                |
| 0034185  | 8/31/2023 Grainger Inc                   | 4,707.89 Building Structure             |
| 0034186  | 8/31/2023 Jefferson National Life        | 3,069.34 A/P - ORP                      |
| 0034187  | 8/31/2023 Johnstone Supply               | 630.39 HVAC                             |
| 0034188  | 8/31/2023 Koetter Fire Protection of Cor | 433.87 Repairs & Maintenance            |
| 0034189  | 8/31/2023 LK Jordan & Associates         | 2,341.72 Contract Labor                 |
| 0034190  | 8/31/2023 Marshall Company               | 96,995.00 Contractors                   |
| 0034191  | 8/31/2023 Meller Marketing LLC           | 1,000.00 Consultants                    |
| 0034192  | 8/31/2023 Metlife                        | 4,310.00 A/P - TSA                      |
| 0034193  | 8/31/2023 Municipal Emergency Services   | 11,052.09 Instructional Supplies        |
| 0034194  | 8/31/2023 Nalco Company LLC              | 879.75 Chemical-Water Treatment         |
| 0034195  | 8/31/2023 Pepsi Cola Corpus Christi      | 1,335.02 Food Supplies                  |
| 0034196  | 8/31/2023 Reliastar Life Insurance Co    | 1,00.00 A/P - TSA                       |
| 0034197  | 8/31/2023 Safeguard System Inc           | 313.01 Repairs & Maintenance            |
| 0034198  | 8/31/2023 Southern Tire Mart             | 28.88 Repairs & Maintenance             |
| 0034199  | 8/31/2023 Terracon Consultants Inc       | 2,614.75 Consultants                    |
| 0034199  | 8/31/2023 Terracon Consultants Inc       | 23,978.28 3rd Party Expense             |
| 0034200  | 8/31/2023 Texas Higher Education Coordin |   |
| 0034201  | 8/31/2023 USAA Annuity Life Insurance Co | 1,707.00 Grants & Contracts             |
|          |  | 2,126.70 A/P - ORP                      |
| 0034203  | 8/31/2023 V. Fawn Colburn, Pllc          | 250.00 Contract Labor                   |
| 0034204  | 8/31/2023 Victory Capital Advisers Inc   | 6,647.03 A/P - ORP                      |
| 0034205  | 8/31/2023 Wittigs Office Interiors Inc   | 2,088.68 < 5,000 Furn and Fix Not Cap   |

# Del Mar College Financial Record System Bank 41 Colleague

| Check I  | Date Payee                            | Am     | ount Description                         |   |
|----------|---------------------------------------|--------|--|---|
| E0034206 | 8/31/2023 You Name It Specialties Inc |        | 21,039.14 Production, Publications & Pro | m |
|          |                                       | Total: | 9,773,304.76                             |   |

# Financial Record System Checks Over 10,000

|                  | Payee Payee  | Amount Description                       |
|------------------|--|--|
| 78323            | 8/1/2023 Modo Labs Inc   | \$ 47,800.00 Software Desk Lic Fees      |
| 78340            | 8/3/2023 Inveris Training Solutions, In                        | 75,828.51 > 5,000 Equipment Capitalized  |
| 78348            | 8/3/2023 Munoz Engineering                                     | 20,260.00 Architect Fees                 |
| 78370            | 8/8/2023 Computer Solutions                                    | 15,334.34 < 5,000 Computer Not Cap INVT  |
| 78375            | 8/8/2023 Hannon Hill Corporation                               | 40,623.81 Software Desk Lic Fees         |
| 78379            | 8/8/2023 MediaValet Inc  | 16,200.00 Software Desk Lic Fees         |
| 78399            | 8/8/2023 TXU Energy  | 198,137.63 Electricity                   |
| 78424            | 8/10/2023 Netsync Network Solutions                            | 40,358.00 < 5,000 Computer Not Cap INVT  |
| 78428            | 8/10/2023 Presspage Inc  | 16,960.00 Software Desk Lic Fees         |
| 78443            | 8/15/2023 Atlas RFID Solutions Store LLC                       | 19,000.00 Supplies - Other               |
| 78456            | 8/15/2023 PNC Bank   | 4,240,575.00 Bond Principal              |
| 78457            | 8/15/2023 Richter Architects                                   | 24,407.32 Architect Fees                 |
| 78462            | 8/15/2023 TASB Risk Management Fund                            | 13,241.38 Unemployment                   |
| 78464            | 8/15/2023 U.S. Bank Voyager Fleet System                       | 10,707.34 Fuel/Oil                       |
| 78487            | 8/17/2023 Texas Association of Community                       | 46,408.00 Memberships & Dues             |
| 78498            | 8/24/2023 American Allied Health                               | 85,405.00 Student Reimb Exp              |
| 78503            | 8/24/2023 Camacho Demolition LLC                               | 13,700.00 Contractors                    |
| 78509            | 8/24/2023 Fulton Coastcon a Joint Ventur                       | 387,841.61 Contractors                   |
| 78526            | 8/24/2023 Tronair Inc  | 18,195.50 > 5,000 Equipment Capitalized  |
| 78534            | 8/25/2023 David L. Potter                                      | 38,171.54 Accrued Compensable Absence LT |
| 78539            | 8/29/2023 Allied Universal Security Serv                       | 174,356.19 Security Services             |
| 78542            | 8/29/2023 Camacho Demolition LLC                               | 17,400.00 Contractors                    |
| 78543            | 8/29/2023 Cyberone, Llc  | 48,444.49 Software Desk Lic Fees         |
| 78550            | 8/29/2023 Inveris Training Solutions, In                       | 69,000.00 > 5,000 Computers Capitalized  |
| 78553            | 8/29/2023 Nueces County Appraisal                              | 246,767.00 Tax Appraisal Fee             |
| 78569            | 8/30/2023 National Life Insurance Compan                       | 12,157.27 A/P - ORP                      |
| 78575            | 8/31/2023 Allied Universal Security Serv                       | 109,408.08 Security Services             |
| 78576            | 8/31/2023 Aquatic Renovations                                  | 17,662.80 Instructional Supplies         |
| 78581            | 8/31/2023 Coastal Welding Supply Inc                           | 10,027.78 Instructional Supplies         |
| 78585            | 8/31/2023 Daikin Applied                                       | 10,499.00 SC NC HVAC                     |
| 78592            | 8/31/2023 GTS Technology Solutions Inc                         | 40,451.78 Software Desk Lic Fees         |
| 78601            | 8/31/2023 Nueces County  | 11,252.11 Tax Assessing & Collecting     |
| 78603            | 8/31/2023 Patterson Dental Company                             | 22,026.30 > 5,000 Equipment Capitalized  |
| 78618            | 8/31/2023 TXU Energy   | 147,773.96 Electricity                   |
| 78619            | 8/31/2023 U.S. Bank Voyager Fleet System                       | 12,315.39 Fuel/Oil                       |
| 033829           | 8/1/2023 ABM Industry Groups LLC                               | 108,685.02 Contractors                   |
| 033831           | 8/1/2023 Amazon.Com LLC  | 13,923.17 Office Supplies                |
| 033832           | 8/1/2023 Anthology Inc   | 24,023.13 < 5,000 Software Not Cap INVT  |
| 033836           | 8/1/2023 CC Lawn Pros, LLC                                     | 10,100.00 Contractors                    |
| 033854           | 8/1/2023 Shi Government Solutions                              | 47,250.00 Maint Agree-Software           |
| 033856           | 8/1/2023 Texas Gulf Coast JATC                                 | 11,395.60 Consultants                    |
| 033870           | 8/3/2023 Ellucian Company Lp                                   | 24,146.00 Maint Agree-Software           |
| 033874           | 8/3/2023 Gateway Printing & Office Supp                        | 14,715.31 Office Supply Payable          |
|                  | 그래요 그러워 마음이 생생님이 가장 있다. 그렇게 그렇게 되는 그 사꾸 쓰는 사이 되어서 그 그래 하다.     |  |
| 033876           | 8/3/2023 Johnstone Supply<br>8/8/2023 Anderson Marketing Group | 11,323.38 HVAC                           |
| 033894<br>033905 | 8/8/2023 Iconic Sign Group LLC                                 | 318,319.39 Advertising                   |
|                  |  | 11,033.00 Advertising                    |
| 033908           | 8/8/2023 Softdocs  | 71,581.91 Software Desk Lic Fees         |
| 033910           | 8/8/2023 Turner Ramirez Associates Inc                         | 19,689.15 Architect Fees                 |
| 033911           | 8/8/2023 Weaver  | 42,597.31 Audit Fees                     |

# Del Mar College Financial Record System

# Checks Over 10,000

| Check    | Date      | Payee                          | Amount                 | Description  |
|----------|-----------|--------------------------------|------------------------|--|
| E0033912 | 8/8/2023  | Wilson Consulting for Higher E | 30,718.7               | 5 < 5,000 Software Not Cap INVT  |
| E0033936 | 8/10/2023 | CAE Healthcare Inc             | 54,725.0               | 6 > 5,000 Equipment Capitalized  |
| E0033943 | 8/10/2023 | Critical Mention Inc           | 12,950.0               | 0 Software Desk Lic Fees   |
| E0033980 | 8/15/2023 | CC Lawn Pros, LLC              | 11,700.0               | 0 Contractors  |
| E0033982 | 8/15/2023 | City of Corpus Christi         | 15,742.5               | 8 Gas  |
| E0033994 | 8/15/2023 | Iconic Sign Group LLC          | 11,033.0               | 0 Advertising  |
| E0034003 | 8/15/2023 | Schneider Electric             | 24,350.0               | O Software Desk Lic Fees   |
| E0034026 | 8/17/2023 | Anderson Marketing Group       | 24,962.4               | 8 Advertising  |
| E0034031 | 8/17/2023 | Command Commissioning Llc      | 62,243.0               | 5 Consultants  |
| E0034040 | 8/17/2023 | Franklin Covey Client Sales In | 29,959.20              | O Software Desk Lic Fees   |
| E0034049 | 8/17/2023 | SpawGlass Contractors Inc      | 757,276.0              | 7 Const Cost - Contractors   |
| E0034051 | 8/17/2023 | Victory Building Team          | 121,289.0              | 6 Contractors  |
| E0034073 | 8/24/2023 | B & H Photo Video Pro Audio    | 31,592.2               | O Office Supplies  |
| E0034077 | 8/24/2023 | CDWG LLC                       | 12,009.00              | 0 < 5,000 Computer Not Cap INVT  |
| E0034078 | 8/24/2023 | City of Corpus Christi         | 27,153.9               | 5 Water  |
| E0034087 | 8/24/2023 | Gateway Printing & Office Supp | 23,498.5               | 5 Instructional Supplies   |
| E0034092 | 8/24/2023 | JL Squared Construction        | 120,000.00             | O Contractors  |
| E0034094 | 8/24/2023 | Koetter Fire Protection of Cor | 19,519.00              | Repairs & Maintenance  |
| E0034101 | 8/24/2023 | Schneider Electric             | 11,820.00              | O SC NC HVAC   |
| E0034105 | 8/24/2023 | Victory Building Team          | 234,032.52             | 2 Contractors  |
| E0034124 | 8/29/2023 | B & H Photo Video Pro Audio    | 22,391.18              | 8 Supplies - Other   |
| E0034131 | 8/29/2023 | Gateway Printing & Office Supp | 16,988.5               | 5 Repairs & Maintenance  |
| E0034135 | 8/29/2023 | Touchnet Information System    | 63,198.0               | O Software Desk Lic Fees   |
| E0034159 | 8/31/2023 | Airgas USA                     | 10,327.4               | 6 < 5,000 Equip Not Cap INVT   |
| E0034167 | 8/31/2023 | CDWG LLC                       | 10,771.65              | 5 < 5,000 Computer Not Cap INVT  |
| E0034190 | 8/31/2023 | Marshall Company               | 96,995.00              | O Contractors  |
| E0034193 | 8/31/2023 | Municipal Emergency Services   | 11,052.09              | 9 Instructional Supplies   |
| E0034200 | 8/31/2023 | Texas Gulf Coast JATC          | 23,978.28              | 3 3rd Party Expense  |
| E0034206 | 8/31/2023 | You Name It Specialties Inc    | 21,039.14              | Production, Publications & Prom  |
|          |           |                                | Total: \$ 8,960,795.32 | The second secon |

# Regular Agenda Item 7



DATE: September 28, 2023

TO: Del Mar College Board of Regents

Dr. Mark Escamilla President and CEO

FROM: Lenora Keas

**Executive Vice President and Chief Operating Officer** 

REF: Discussion and possible action to approve the transfer of property known as the Workforce

Development Center from Aransas County and assume the US Department of Commerce

**Economic Development Administration Grant** 

#### SUMMARY:

Over the past two years, the College has engaged with Aransas County pursuant to a U.S. Department of Commerce Economic Development Administration Grant (EDA) to bring the Workforce Development Center to the region. This effort was part of the College's Strategic Goal Two in the present Strategic Plan to Expand and promote educational opportunities throughout the College's service area and seek to recruit both traditional and non-traditional students. The Aransas County Commissioner's Court voted on August 28<sup>th</sup> to ask the College to accept the transfer of the grant and ownership of the existing building and improvements located at 2000 Hwy 35 North, Rockport, Texas to the College.

The EDA grant was awarded to Aransas County on January 19, 2021 for a \$1.7 Million Opportunity Zone. At that time the community raised over \$438,000 in donations as a matching fund for the \$2.138 Million project. Del Mar College entered into an MOU to provide programs and operate the facility. This was to enhance the educational attainment of the region, provide access to workforce programs, and support the creation of skilled and in-demand jobs. The College also received SACSCOC approval to provide the programs and courses to support credit and continuing education programs for the community. The Workforce Development Center initiative has broad support of the Aransas County Commissioners Court, County Judge Garza, the Aransas County Partnership Economic Development Corporation, and members of the community.

#### STAFF RECOMMENDATION:

It is recommended that the Board of Regents authorize College Administration and General Counsel to finalize the transaction with Aransas County, including the preparation and execution of mutually agreeable documentation, for the transfer of ownership of the property and improvements known as the Workforce Development Center and any remaining funds to the College. Additionally, Aransas County will transfer or assign the US Department of Commerce Economic Development Administration Grant (EDA) to the College. Administration is also authorized to enter into final agreements with the EDA necessary for transfer of the grant and related funds.

DOCUMENTATION:

PowerPoint







**Located in Aransas County** 

2000 Hwy 35 N, Rockport, TX 78382

- U.S. Department of Commerce Economic Development Grant on January 19, 2021
- \$1.7 Million Grant Opportunity Zone
- Donations over \$438,000 plus \$60,000 architectural plans
- Total \$2.138 Million Project
- Del Mar College entered into MOU to provide programs and operate the facility
- Skilled and in-demand job creation
- SACSCOC approved site for Del Mar College



# Workforce Development Center – 16,000 Sq. Ft.





# Rockport Population Statistics (Excluding Part of Windward Campus Catchment Area)

| 0 - 60 Minutes    |
|-------------------|
| 127,700           |
| 136,600           |
| 145,300           |
| 0.62%             |
| 98                |
| 0 - 60 Minutes    |
| 75,500            |
| 80,000            |
| 81,800            |
| 0.22%             |
| Age 18-64 in CBSA |
| 1,524             |
| 1,558             |
|                   |

Capture Rate is based on Windward Campus Student Resident locations in 2017 (i.e. Total Fall 2017 Enrollment of 5,381/2017 Population Age 18-64 of 282,545 in the Corpus Christi CBSA). Potential Student values assume Rockport captures 1.9% of population age 18-64 within region.

SOURCE: Population Estimates: ESRI 2010-2025 and Facility Programming and Consulting 2030



Projected Enrollment per Semester-200 for Fall & Spring; 100 for Summer

|                                    | Year 1    | Year 2    | Year 3    | Year 4    | Year 5    |
|------------------------------------|-----------|-----------|-----------|-----------|-----------|
| REVENUE                            |           |           |           |           |           |
| Estimated Tuition and Fees         | \$502,799 | \$517,861 | \$541,756 | \$566,944 | \$593,496 |
| Estimated CE & Corporate Srvs.     | \$25,000  | \$30,000  | \$35,000  | \$40,000  | \$45,000  |
| Estimated State Appropriations     | 95,000    | 97,000    | 99,000    | 103,000   | 105,000   |
| TOTAL REVENUE                      | \$622,799 | \$644,861 | \$675,756 | \$709,944 | \$743,496 |
|                                    |           |           |           |           |           |
| PERSONNEL EXPENSES                 |           |           |           |           |           |
| Director (Exempt)                  | \$54,000  | \$55,620  | \$57,289  | \$59,007  | \$60,777  |
| Administrative Assistant           |           |           | 34,000    | 35,020    | 36,071    |
| Adjunct Faculty & PT Instructional | 54,000    | 55,620    | 57,289    | 59,007    | 60,777    |
| Benefits                           | 34,560    | 35,597    | 47,545    | 48,971    | 50,440    |
| TOTAL PERSONNEL EXPENSES           | \$142,560 | \$146,837 | \$196,122 | \$202,006 | \$208,066 |

# Projected Enrollment per Semester-200 for Fall & Spring; 100 for Summer

#### OPERATIONAL EXPENSES 11,000 11,220 11,444 11,673 11,907 Electicity 3.000 3.060 3,121 3.184 3,247 Water, trash, & Gas 42,000 52,214 57,958 64,333 Property Insurance 47,040 61,800 63,654 65,564 67,531 69,556 Security Telephone 1,200 1,224 1,248 1,273 1,299 2,500 2,500 2,500 2,500 2,500 Travel Ground Maintenance 16,800 17,136 17,479 17,828 18,185 **Building Maintenance** 5,000 5,000 5,000 5,000 5,000 Custodial Services 10,404 10,612 10,824 11,041 10,200 Internet Service 16,200 16,524 16,854 17,192 17,535 10,000 10,200 10,612 10,824 Advertising/Student Recruitment 10,404 Instructional Supplies & Equpment 20,000 20,400 20,808 21,224 21,649 2,500 2,653 Copier 2,550 2,601 2,706 Other non-salary expenses 21,275 21,701 22,135 22,577 23,029 9,337 10,717 11,271 Contingency 9,681 10,187 TOTAL OPERATIONAL EXPENSES \$262,746 \$274,082 \$232,812 \$242,293 \$252,172 TOTAL EXPENSES \$375,372 \$389,130 \$448,294 \$464,752 \$482,148 **NET INCOME** \$247,427 \$255,731 \$227,462 \$245,192 \$261,348



# Projected Enrollment per Semester-200 for Fall & Spring; 100 for Summer at less than 8 SCH

|                                    | Year 1    | Year 2    | Year 3    | Year 4    | Year 5    |
|------------------------------------|-----------|-----------|-----------|-----------|-----------|
| REVENUE                            |           |           |           |           |           |
| Estimated Tuition and Fees         | \$402,799 | \$417,861 | \$441,756 | \$466,944 | \$493,496 |
| Estimated CE & Corporate Srvs.     | \$25,000  | \$30,000  | \$35,000  | \$40,000  | \$45,000  |
| Estimated State Appropriations     | 95,000    | 97,000    | 99,000    | 103,000   | 105,000   |
| TOTAL REVENUE                      | \$522,799 | \$544,861 | \$575,756 | \$609,944 | \$643,496 |
|                                    |           |           |           |           |           |
| PERSONNEL EXPENSES                 |           |           |           |           |           |
| Director (Exempt)                  | \$54,000  | \$55,620  | \$57,289  | \$59,007  | \$60,777  |
| Administrative Assistant           |           |           | 34,000    | 35,020    | 36,071    |
| Adjunct Faculty & PT Instructional | 54,000    | 55,620    | 57,289    | 59,007    | 60,777    |
| Benefits                           | 34,560    | 35,597    | 47,545    | 48,971    | 50,440    |
| TOTAL PERSONNEL EXPENSES           | \$142,560 | \$146,837 | \$196,122 | \$202,006 | \$208,066 |

Projected Enrollment per Semester-200 for Fall & Spring; 100 for Summer

| at | less | than  | 8      | SCH    |
|----|------|-------|--------|--------|
| aı | 1000 | ulali | $\cup$ | $\cup$ |

| OPERATIONAL EXPENSES              |           |           |           |           |           |
|-----------------------------------|-----------|-----------|-----------|-----------|-----------|
| Electicity                        | 11,000    | 11,220    | 11,444    | 11,673    | 11,907    |
| Water, trash, & Gas               | 3,000     | 3,060     | 3,121     | 3,184     | 3,247     |
| Property Insurance                | 42,000    | 47,040    | 52,214    | 57,958    | 64,333    |
| Security                          | 61,800    | 63,654    | 65,564    | 67,531    | 69,556    |
| Telephone                         | 1,200     | 1,224     | 1,248     | 1,273     | 1,299     |
| Travel                            | 2,500     | 2,500     | 2,500     | 2,500     | 2,500     |
| Ground Maintenance                | 16,800    | 17,136    | 17,479    | 17,828    | 18,185    |
| Building Maintenance              | 5,000     | 5,000     | 5,000     | 5,000     | 5,000     |
| Custodial Services                | 10,200    | 10,404    | 10,612    | 10,824    | 11,041    |
| Internet Service                  | 16,200    | 16,524    | 16,854    | 17,192    | 17,535    |
| Advertising/Student Recruitment   | 10,000    | 10,200    | 10,404    | 10,612    | 10,824    |
| Instructional Supplies & Equpment | 20,000    | 20,400    | 20,808    | 21,224    | 21,649    |
| Copier                            | 2,500     | 2,550     | 2,601     | 2,653     | 2,706     |
| Other non-salary expenses         | 21,275    | 21,701    | 22,135    | 22,577    | 23,029    |
| Contingency                       | 9,337     | 9,681     | 10,187    | 10,717    | 11,271    |
| TOTAL OPERATIONAL EXPENSES        | \$232,812 | \$242,293 | \$252,172 | \$262,746 | \$274,082 |
| TOTAL EXPENSES                    | \$375,372 | \$389,130 | \$448,294 | \$464,752 | \$482,148 |
|                                   |           |           |           |           |           |
| NET INCOME                        | \$147,427 | \$155,731 | \$127,462 | \$145,192 | \$161,348 |



Located in Aransas County 2000 Hwy 35 N, Rockport, TX 78382

- Aransas County Commissioners, County Judge, and the business community represented by Aransas County Partnership Economic Development Corporation, are requesting transfer of ownership to Del Mar College.
- Aransas County Commissioners Court voted August 28, 2023 to propose and request that Del Mar College
  accept the transfer of ownership of the property and assignment of the EDA grant.
- U.S. Department of Commerce Economic Development Administration (EDA) supports transfer of ownership and completion of the grant.
- Grant completion date is January of 2026. One year extension is possible.

Located in Aransas County 2000 Hwy 35 N, Rockport, TX 78382

- Aransas County Proposal:
  - Transfer 16,000 sq. ft. building with acreage to Del Mar College.
  - Transfer remaining funds of approximately \$50,000 to Del Mar College.
- EDA will assign the grant to the College with approximately \$700,000 remaining in funding for completion of the project.
- DMC VP of Facilities anticipates completion of the remodeling by August of 2024.
- Community representatives show support of the transfer to Del Mar College.
  - Presenting Jeff Sjostrom, President of the Aransas County Partnership Economic Development Corp.
- Aransas County Partnership for Economic Development Corp. is committed to provide financial support through community donations for added improvements and carrying costs for successful completion of this project.

Located in Aransas County 2000 Hwy 35 N, Rockport, TX 78382

#### Next Steps Following Approval:

- DMC Administration and OGC work with Aransas County Attorney to prepare final legal documents to support agreement between DMC, Aransas County, and EDA.
- Aransas County reviews and provides final approval.
- EDA reviews and provides final approval.
- EDA transfers the grant to DMC and Aransas County transfers property to DMC.
- If approved, staff provides periodic review and feasibility studies moving forward to monitor status and progress.

# Questions? Del Mar College Workforce Development Center



Located in Aransas County 2000 Hwy 35 N, Rockport, TX 78382

#### **Proposed Board Action:**

Administration recommends that the Board of Regents authorize College Administration and OGC to proceed with all steps necessary to finalize the agreement with Aransas County, including the preparation and execution of mutually agreeable documentation covering a.) the transfer of ownership of the property and improvements known as the Workforce Development Center and any remaining funds to the College, and, b.) the transfer or assignment of the U.S. Department of Commerce Economic Development Administration Grant (EDA) to the College, and, c.) any other agreements deemed necessary by the parties to support the agreement.

Administration is also authorized to enter into final agreements with the EDA necessary for the transfer of the grant and related funds.