

**Annual Certification Documentation  
Per Texas Education Code 51.3525**

**Institutions by Name (A-TE)**

**September 2024**

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Date Submitted: 08/22/24  
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**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Ronnie D. Hawkins, Jr., agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

*Ronnie D. Hawkins, Jr.*

\_\_\_\_\_  
Signature

08/21/2024

\_\_\_\_\_  
Date

Please check one:

- President
- Board Chair
- Chancellor

ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM

I, Mark Griffin, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

  
Signature

8/22/24  
Date

Please check one:

- President
- Board Chair
- Chancellor

MEMORANDUM



From: Ronnie Hawkins, President, Angelo State University

ANGELO STATE UNIVERSITY  
Office of the President

To: Mark Griffin, Chairman of the Texas Tech University System Board of Regents

Re: SB 17 Certification Submission for Angelo State University

Date: August 9, 2024

Institution Contact Name: Ashley Warren, Chief of Staff

Institution Contact Email Address: ashley.warren@angelo.edu

I certify, under penalty of perjury and the loss of funding to my institution (listed below), that my institution has complied with the requirements in Tex. Educ. Code § 51.3525:

Angelo State University

1. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws.
2. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity.
3. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
4. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.
5. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of this institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

ASU Station #11007 | San Angelo, Texas 76909  
Phone: 5-942-2073 | Fax: 5-942-2038 | angelo.edu  
Member, Texas Tech University System | Equal Opportunity Employer

6. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.
7. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.
8. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).
9. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).
10. I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY25 have been spent prior to submission of this certification report for FY24 to the Legislature and the Texas Higher Education Coordinating Board.
11. I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.
12. I understand the Coordinating Board will forward all complaints regarding an institution's violation of Tex. Educ. Code § 51.3525 to the State Auditor's Office for review.

### **Institutional Actions to Comply with Tex. Educ. Code § 51.3525**

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year my institution has conducted the following actions to comply with the statute:

TTUS and its system components have taken comprehensive measures to ensure full compliance with the requirements and provisions set forth in SB 17. It would be impossible to describe each and every action taken to ensure compliance with SB 17; however, from a high level, our efforts have included, but are not limited to, the following:

1. Upon SB 17 being signed by Governor Abbott on June 17, 2024, the TTUS administrative team promptly reviewed the contents to understand its implications thoroughly. In fact, in anticipation of SB 17 being signed by Governor Abbott, TTUS issued a legal memorandum to all of its component institutions on June 8, 2023 outlining the provisions of SB 17 and to discuss next steps to ensure compliance with the bill's provisions. This memo is available on the TTUS Office of General Counsel website and can be accessed [here](#).
2. TTUS developed an implementation plan to review and align its policies, operations, trainings, and programs with the requirements set forth in SB 17. As part of this plan, TTUS assembled a task force with representatives from the TTUS Office of General Counsel, TTUS Office of Equal Opportunity, and the TTUS Office of Governmental Relations to assist the component institutions

in reviewing their current practices and policies and provide guidance to aid institutions with implementing the bill's requirements.

3. On September 14, 2023 TTUS issued a Guidance Document for faculty and staff regarding questions related to SB 17. This Guidance Document is available on the TTUS Office of General Counsel website and can be accessed [here](#).
4. As part of the implementation plan, the TTUS task force reviewed and provided analysis on approximately 500 SB 17 inquiries and questions submitted by TTUS component institutions. On September 27, 2023, the task force's recommendations and analysis of these more than 500 SB 17 inquiries and questions were incorporated into a detailed spreadsheet and distributed to each component institution.
5. Institutional SB 17 Audit Reports have been completed and issued to component institutions with auditor's recommended action plans to ensure sustained compliance.
6. The TTUS Office of General Counsel, in consultation with the TTUS Office of Equal Opportunity, and the TTUS Office of Governmental Relations, provides advice and guidance on questions that continue to arise. To this end, the TTUS Office of General Counsel has a standing weekly virtual meeting to answer any SB 17 related questions that component institutions may have to ensure compliance with the Bill's provisions.

I certify that all information in this submission is true, accurate, and complete.

Sincerely,

**Ronnie Hawkins** Digitally signed by Ronnie Hawkins  
Date: 2024.08.09 09:23:42 -05'00'

Ronnie D. Hawkins, Jr., Lt Gen (ret), USAF  
President  
Angelo State University



TEXAS TECH UNIVERSITY SYSTEM  
**Board of Regents™**

MEMORANDUM

From: Mark Griffin, Chairman of the Texas Tech University System Board of Regents  
To: Texas Higher Education Coordinating Board  
Re: SB 17 Certification Submission for Texas Tech University System and Component Institutions  
Date: August 19, 2024

On behalf of Texas Tech University System, Texas Tech University, Texas Tech University Health Sciences Center, Texas Tech University Health Sciences Center at El Paso, Angelo State University, and Midwestern State University, as certified to me, I certify as follows for each institution:

I certify, under penalty of perjury and the loss of funding to my institutions (listed below), that each institution has complied with the requirements in Tex. Educ. Code § 51.3525:

**Texas Tech University System**  
**Texas Tech University**  
**Texas Tech University Health Sciences Center**  
**Texas Tech University Health Sciences Center at El Paso**  
**Angelo State University**  
**Midwestern State University**

1. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), each institution does not, except as required by federal law, have any office, division or unit with the established purpose of influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws.
2. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), each institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity.
3. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), each institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by each institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.
4. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), each institution does not, except as required by federal law, have any office, division or unit with the established purpose of conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by each institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

5. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), each institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).
6. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), each institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.
7. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), each institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.
8. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), each institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).
9. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that each institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).
10. I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to each institution for FY25 have been spent prior to submission of this certification report for FY24 to the Legislature and the Texas Higher Education Coordinating Board.
11. I understand the State Auditor's Office will conduct a compliance audit for each institution and if violations of Tex. Educ. Code § 51.3525 are found, each institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.
12. I understand the Coordinating Board will forward all complaints regarding an institution's violation of Tex. Educ. Code § 51.3525 to the State Auditor's Office for review.

### **Institutional Actions to Comply with Tex. Educ. Code § 51.3525**

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year Texas Tech University System and its component institutions have conducted the following actions to comply with the statute:

TTUS and its system components have taken comprehensive measures to ensure full compliance with the requirements and provisions set forth in SB 17. It would be impossible to describe each and every action taken to ensure compliance with SB 17; however, from a high level, our efforts have included, but are not limited to, the following:

1. Upon SB 17 being signed by Governor Abbott on June 17, 2024, the TTUS administrative team promptly reviewed the contents to understand its implications thoroughly. In fact, in anticipation of SB 17 being signed by Governor Abbott, TTUS issued a legal memorandum to all of its component institutions on June 8, 2023 outlining the provisions of SB 17 and to discuss next steps to ensure compliance with the bill's provisions. This memo is available on the TTUS Office of General Counsel website and can be accessed [here](#).
2. TTUS developed an implementation plan to review and align its policies, operations, trainings, and programs with the requirements set forth in SB 17. As part of this plan, TTUS assembled a task

force with representatives from the TTUS Office of General Counsel, TTUS Office of Equal Opportunity, and the TTUS Office of Governmental Relations to assist the component institutions in reviewing their current practices and policies and provide guidance to aid institutions with implementing the bill's requirements.

3. On September 14, 2023 TTUS issued a Guidance Document for faculty and staff regarding questions related to SB 17. This Guidance Document is available on the TTUS Office of General Counsel website and can be accessed [here](#).
4. As part of the implementation plan, the TTUS task force reviewed and provided analysis on approximately 500 SB 17 inquiries and questions submitted by TTUS component institutions. On September 27, 2023, the task force's recommendations and analysis of these more than 500 SB 17 inquiries and questions were incorporated into a detailed spreadsheet and distributed to each component institution.
5. Institutional SB 17 Audit Reports have been completed and issued to component institutions with auditor's recommended action plans to ensure sustained compliance.
6. The TTUS Office of General Counsel, in consultation with the TTUS Office of Equal Opportunity, and the TTUS Office of Governmental Relations, provides advice and guidance on questions that continue to arise. To this end, the TTUS Office of General Counsel has a standing weekly virtual meeting to answer any SB 17 related questions that component institutions may have to ensure compliance with the Bill's provisions.

I certify that all information in this submission is true, accurate, and complete.

Kind regards,

A handwritten signature in black ink that reads "Mark Griffin". The signature is written in a cursive, flowing style.

Mark Griffin, Chairman

Board of Regents, Texas Tech University System

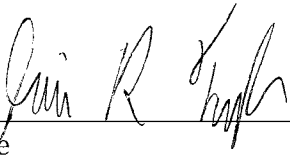
Date Signed: August 19, 2024

cc: Tedd L. Mitchell, M.D., Chancellor

Institution: Lamar University  
Date Submitted: 08/08/24  
Pages: 11

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Dr. Jaime Taylor, Lamar University, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

  
\_\_\_\_\_  
Signature

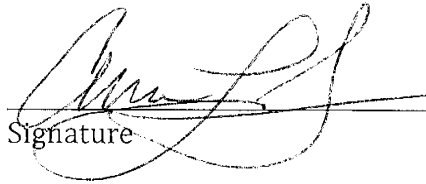
8/8/2024  
\_\_\_\_\_  
Date

Please check one:

- President
- Board Chair

ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM

I, Alan L. Tinsley, Texas State University System, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

  
Signature

8/8/2024  
Date

Please check one:

- President
- Board Chair



I certify, under penalty of perjury and the loss of funding to my institution (listed below) that my institution has complied with the requirements in Tex. Educ. Code § 51.3525:

Lamar University

- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

- [X] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).
- [X] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).
- [X] I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY25 have been spent prior to submission of this certification report for FY24 to the Legislature and the Texas Higher Education Coordinating Board.
- [X] I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.
- [X] I understand the Coordinating Board will forward all complaints regarding an institution's violation of Tex. Educ. Code § 51.3525 to the State Auditor's Office for review.


To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year my institution has conducted the following actions to comply with the statute:


- Notified community stakeholders about SB 17 prohibitions.
- Held leadership meetings to discuss implementation of SB 17.
- Conducted a self-assessment to identify DEI departments, offices, programs, or initiatives.
- Closed DEI departments or offices, specifically dissolving the former Division of Diversity, Inclusion, and Community Relations.
- Eliminated all DEI-related committees and programs housed within other offices.
- Reviewed third-party training contracts and discontinued any aspects of those contracts that consisted of prohibited DEI activities.
- Reviewed job descriptions to ensure DEI duties were not assigned to anyone.
- Reviewed its website and removed non-compliant web materials.
- Adopted a University policy that prohibits DEI offices, officers, programs, initiatives, and provides for disciplinary action, up to and including termination, against anyone who violates the policy.
- Reviewed mandatory training materials and removed or deactivated any material containing prohibited DEI components.
- Initiated a high-level review and approval of training by the Associate VP in Human Resources.
- Adheres to its non-discrimination policies, which are based on state and federal law, and which prohibit consideration of race, sex, color, ethnicity, or national origin in employment decisions.
- Requires employees to complete EEO/Civil Rights training provided by the Texas Workforce Commission upon hire and every two years thereafter.

- Training for search committee and hiring managers contain best practices for making merit-based hiring decisions.
- Manages employee recruitment and hiring through the Human Resources department, which oversees and reviews the hiring process for all departments consistent with best practices for avoiding bias and making merit-based hiring decisions.
- Complied with the directive issued by Chancellor McCall on March 2, 2023, to immediately eliminate the use or consideration of a diversity statement in all hiring practices and to review campus policies and, if necessary, modify policies to ensure compliance. University leadership, including leadership in the Human Resource department, were notified of the prohibition on the use of diversity statements. Lamar University's Office of Human Resources & Talent Management reviews all University job postings to ensure diversity statements are not solicited or considered.
- Reviewed scholarships and grants to ensure eligibility/award criteria did not give preference on the basis of race, sex, color, ethnicity, or national origin, and worked with donors/grantors to modify criteria or suspend awards until modifications were in place for those scholarships/grants where criteria did not comply with SB 17.
- Actively participated in the system-wide internal audit, which included:
  - reviewing policies designed to ensure compliance with SB 17,
  - determining what actions were taken to eliminate/close DEI-related programs/offices (where applicable) and analyzing resultant personnel actions,
  - reviewing the position descriptions/job duties of and interviewing personnel who transitioned from performing DEI-related activities to new roles,
  - reviewing hiring protocols, job postings, and trainings,
  - observing campus signage,
  - performing searches of websites for potential non-compliant information,
  - reviewing departmental and program operations, and
  - testing expenditures.
- Lamar University remains committed to ensuring continued compliance with provisions of SB 17.

[X] I certify that all information in this submission is true, accurate, and complete.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.

Signature of Institution President:   
 Date: 8/8/24

Signature of Board Chair:   
 Date: 8/8/24  
 Alan L. Tinsley

# Office of Internal Audit

## Senate Bill 17 Audit Report

August 2, 2024



**Carole M. Fox, CPA**  
Chief Audit Executive, Texas State University System

**Ramona Stricklan, CIA, CFE**  
System Director

**Kelly Blissett, CPA, MBA**  
Director

**Mike Miller, CIA, CGAP**  
Director

**Marylyn Byrd, CPA, CIA, MBA**  
Associate Director

## EXECUTIVE SUMMARY

The Office of Internal Audit has completed an audit of The Texas State University System's (TSUS) compliance with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code, *Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives*. These sections were added to the Education Code as the result of Senate Bill 17 (SB 17), passed in the 88th Legislature, Regular Session, effective January 1, 2024. TSUS leadership began developing strategies to comply with SB 17 under the guidance of the Office of General Counsel in June 2023.

The audit determined that as of the date of this report, the TSUS and its member institutions have taken action and implemented procedures to comply with requirements outlined in Sections 51.3525(b)(1) and (2) of the Education Code. However, the audit noted that one member institution had unintentional errors in a limited number of private scholarships.

No evidence was identified or brought to our attention during the audit that would indicate systemic, deliberate non-compliance.

## BACKGROUND INFORMATION

Section 51.3525(b)(1) of the Education Code requires governing boards to ensure that institutions of higher education do not, except as required by federal law:

- (A) establish or maintain a diversity, equity, and inclusion (DEI) office;
- (B) hire or assign an employee of the institution or contract with a third party to perform the duties of a diversity, equity, and inclusion office;
- (C) compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement;
- (D) give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution; or
- (E) require as a condition of enrolling at the institution or performing any institution function any person to participate in diversity, equity, and inclusion training, which:
  - (i) includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation; and
  - (ii) does not include a training, program, or activity developed by an attorney and approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

Section 51.3525(b)(2) requires governing boards to ensure that institutions adopt policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Section 51.3525(b)(1).

## OBSERVATIONS

The audit determined:

- Policies required by SB 17 have been adopted by the TSUS Board of Regents and its member institutions.
- Appropriate actions were taken to eliminate/close DEI-related programs/offices at member institutions where such offices/programs existed prior to January 1, 2024.

- Except for one employee who resigned, employees affected by the elimination of DEI-related programs/offices transitioned to other positions that do not involve DEI-related activities. In cases where DEI-related duties were assigned to individuals in addition to their regular duties, DEI-related duties were eliminated and removed from job descriptions.
- Management at member institutions reviewed hiring protocols, job postings, and training courses and took appropriate actions where applicable to ensure compliance.
- Campus signage reflecting DEI offices/programs/activities was removed.
- Scholarships, grants, and donor agreements with eligibility criteria based in whole or in part on race, sex, color, ethnicity, or national origin have been modified, suspended, or opened to anyone who meets other non-prohibited eligibility criteria except as noted in this report.
- Processes were established and action taken where deemed necessary to remove references to DEI-related activities/programs from websites (unless clearly archival or related to academic course instruction, scholarly research/creative work, guest speakers/performers on short-term engagements, programs/activities to enhance student academic achievement or postgraduate outcomes, data collection, or student recruitment/admissions).
- No exceptions were noted in tests of expenditures.
- Each of the direct reports to the Presidents initiated reviews of departmental accounts to determine if scholarships, grants, and enrichment programs/stipends contained selection criteria based on (or included references to) race, sex, color, ethnicity, or national origin.
- In support of the Presidents' attestations to the Texas Higher Education Coordinating Board, executive management (Vice Presidents/direct reports to the Presidents) provided attestations (under penalty of perjury) regarding compliance with SB 17 in operations under their purview. In many instances, executive management required certain subordinates to provide similar attestations internally.

Throughout the audit, management was fully engaged, cooperative, and immediately corrected identified errors with the exception of unintentional errors occurring at one member institution relating to the award of certain private scholarships where the eligibility criteria for such awards was based on race, sex, color, ethnicity or national origin. The member institution awarded and paid eight private scholarships totaling \$12,050 for the Spring 2024 semester. This was the result of not only a lack of communication but miscommunication, as well as limitations in the member institution's automated system for disbursing aid. Management has taken corrective action to ensure future non-compliance does not occur.

We would like to thank and acknowledge leadership at System Administration and the Presidents and executive leadership at the member institutions for their assistance and the unprecedented degree of direct involvement and interaction during the audit.

## APPENDIX A

### OBJECTIVES & SCOPE

The overall objective of the audit was to determine if The Texas State University System (TSUS) and its member institutions are complying with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code, *Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives*.

The audit focused on activities that occurred at member institutions to ensure compliance with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code. The following activities were not reviewed because they are specifically excluded by statute:

- academic course instruction,
- scholarly research/creative work,
- guest speakers/performers on short-term engagements,
- programs/activities to enhance student academic achievement or postgraduate outcomes,
- data collection, and
- student recruitment/admissions.

The audit period encompassed May 23, 2023 through August 2, 2024.

The audit was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing*.

### METHODOLOGY

Generally, the audit included, but was not limited to, reviewing institutional responses to self-assessment rubrics developed by the Office of General Counsel; administering and evaluating responses to questionnaires developed specifically for the audit; conducting interviews; observing processes and data contained in automated systems; reviewing donor agreements, grants, and scholarship criteria; reviewing supporting documents and other evidentiary matter; reviewing applicable policies and procedures; evaluating processes related to monitoring websites and social media; and performing keyword searches on websites for non-compliant information.

Specifically, a standard audit program that could be tailored to circumstances at each member institution was developed and deployed; the program included, but was not limited to, gathering sufficient evidence to:

- Determine the instructions provided to institutional executive leadership, faculty, and staff regarding implementation of SB 17 and the communication(s) to departments regarding their responsibilities for ensuring full compliance with SB 17.
- Determine the steps taken to identify and discontinue the activities of any DEI office or contracts with third-party vendors that previously performed the duties of a DEI office.
- Determine the steps taken to reassign or eliminate employee positions that were responsible for performing DEI duties or services. For employee positions that were reassigned (or in cases where DEI-related duties were added to employees' area of responsibility and then removed), determine whether job duties or job descriptions were updated accordingly.

- Determine whether member institutions were not compelling, requiring, inducing, or soliciting individuals to provide a DEI statement and to confirm that member institutions were not giving preferential consideration to any person based on the person's (unsolicited) provision of a DEI statement.
- Determine whether preference was not being given on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant (including students) in any function of the member institutions, including receipt of scholarships, grants, and/or stipends or other benefits.
- Determine whether individuals were required to participate in DEI training as a condition of enrolling at the member institutions or performing any institutional function except training developed and approved by the TSUS Office of General Counsel in accordance with a court order or state or federal law.
- Determine whether documented policies and procedures were reviewed and updated as necessary to remove references to prohibited activities and that they aligned with Education Code 51.3525 requirements.
- Determine whether member institutions adopted a policy and implemented a procedure to ensure compliance with provisions in the TSUS *Rules and Regulations*, Chapter VII, Paragraph 5, including procedures for disciplining, including by termination, employees or contractors who violate Education Code 51.3525 requirements.
- Determine the procedures/activities performed to remove references related to prohibited activities on institutional websites (including documents) and social media accounts and to verify that remaining website content is compliant.
- Determine whether action was taken to ensure signage (office titles, building/elevator directories, printed materials such as flyers) referencing prohibited activities has been removed.
- Determine whether the expenditures tested were compliant with applicable provisions of the statute.
- Determine that no instances of non-compliance were reported by executive management in attestations provided during the audit.

## DISTRIBUTION LIST

### Presidents:

Dr. Jaime Taylor, Lamar University  
Dr. Alisa White, Sam Houston State University  
Dr. Carlos Hernandez, Sul Ross State University  
Dr. Kelly Damphousse, Texas State University  
Dr. Sidney Valentine, Lamar Institute of Technology  
Dr. Thomas Johnson, Lamar State College Orange  
Dr. Betty Reynard, Lamar State College Port Arthur

### Texas State University System:

Dr. Brian McCall, Chancellor  
Nelly Herrera, Vice Chancellor and General Counsel  
Ramona Stricklan, System Audit Director  
Kelly Blissett, Audit Director  
Mike Miller, Audit Director  
Marylyn Byrd, Associate Audit Director

### Texas State University System Board of Regents:

Alan L. Tinsley, Chairman  
Stephen Lee, Chair of the Finance & Audit Committee  
Duke Austin, Member of the Finance & Audit Committee  
Tom Long, Member of the Finance & Audit Committee  
William F. Scott, Member of the Finance & Audit Committee

### State of Texas:

Governor's Office  
Legislative Budget Board  
State Auditor's Office

Institution: Midwestern State University  
Date Submitted: 08/22/24  
Pages: 8

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Stacia Haynie, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

Stacia Haynie  
Signature

8.21.24  
Date

Please check one:

- President
- Board Chair
- Chancellor

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Mark Griffin, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

  
Signature

8/22/24  
Date

Please check one:

- President
- Board Chair
- Chancellor

## MEMORANDUM

From: Stacia L. Haynie, President, Midwestern State University  
To: Mark Griffin, Chairman of the Texas Tech University System Board of Regents  
Re: SB 17 Certification Submission for Midwestern State University  
Date: August 14, 2024

Institution Contact Name: Debbie Barrow, Chief of Staff

Institution Contact Email Address: [Debbie.barrow@msutexas.edu](mailto:Debbie.barrow@msutexas.edu)

I certify, under penalty of perjury and the loss of funding to my institution (listed below), that my institution has complied with the requirements in Tex. Educ. Code § 51.3525:

*Midwestern State University*

1. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws.
2. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity.
3. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
4. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

5. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).
6. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.
7. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.
8. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).
9. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).
10. I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY25 have been spent prior to submission of this certification report for FY24 to the Legislature and the Texas Higher Education Coordinating Board.
11. I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.
12. I understand the Coordinating Board will forward all complaints regarding an institution's violation of Tex. Educ. Code § 51.3525 to the State Auditor's Office for review.

### **Institutional Actions to Comply with Tex. Educ. Code § 51.3525**

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year my institution has conducted the following actions to comply with the statute:

TTUS and its system components have taken comprehensive measures to ensure full compliance with the requirements and provisions set forth in SB 17. It would be impossible to describe each and every action taken to ensure compliance with SB 17; however, from a high level, our efforts have included, but are not limited to, the following:

1. Upon SB 17 being signed by Governor Abbott on June 17, 2024, the TTUS administrative team promptly reviewed the contents to understand its implications thoroughly. In fact, in anticipation of SB 17 being signed by Governor Abbott, TTUS issued a legal memorandum to all of its component institutions on June 8, 2023 outlining the provisions of SB 17 and to discuss next steps to ensure compliance with the bill's provisions. This memo is available on the TTUS Office of General Counsel website and can be accessed [here](#).

2. TTUS developed an implementation plan to review and align its policies, operations, trainings, and programs with the requirements set forth in SB 17. As part of this plan, TTUS assembled a task force with representatives from the TTUS Office of General Counsel, TTUS Office of Equal Opportunity, and the TTUS Office of Governmental Relations to assist the component institutions in reviewing their current practices and policies and provide guidance to aid institutions with implementing the bill's requirements.
3. On September 14, 2023 TTUS issued a Guidance Document for faculty and staff regarding questions related to SB 17. This Guidance Document is available on the TTUS Office of General Counsel website and can be accessed [here](#).
4. As part of the implementation plan, the TTUS task force reviewed and provided analysis on approximately 500 SB 17 inquiries and questions submitted by TTUS component institutions. On September 27, 2023, the task force's recommendations and analysis of these more than 500 SB 17 inquiries and questions were incorporated into a detailed spreadsheet and distributed to each component institution.
5. Institutional SB 17 Audit Reports have been completed and issued to component institutions with auditor's recommended action plans to ensure sustained compliance.
6. The TTUS Office of General Counsel, in consultation with the TTUS Office of Equal Opportunity, and the TTUS Office of Governmental Relations, provides advice and guidance on questions that continue to arise. To this end, the TTUS Office of General Counsel has a standing weekly virtual meeting to answer any SB 17 related questions that component institutions may have to ensure compliance with the Bill's provisions.

I certify that all information in this submission is true, accurate, and complete.

  
\_\_\_\_\_

Stacia L. Haynie, President  
Midwestern State University

8/13/24  
\_\_\_\_\_

Date



TEXAS TECH UNIVERSITY SYSTEM  
**Board of Regents™**

MEMORANDUM

From: Mark Griffin, Chairman of the Texas Tech University System Board of Regents  
To: Texas Higher Education Coordinating Board  
Re: SB 17 Certification Submission for Texas Tech University System and Component Institutions  
Date: August 19, 2024

On behalf of Texas Tech University System, Texas Tech University, Texas Tech University Health Sciences Center, Texas Tech University Health Sciences Center at El Paso, Angelo State University, and Midwestern State University, as certified to me, I certify as follows for each institution:

I certify, under penalty of perjury and the loss of funding to my institutions (listed below), that each institution has complied with the requirements in Tex. Educ. Code § 51.3525:

**Texas Tech University System**  
**Texas Tech University**  
**Texas Tech University Health Sciences Center**  
**Texas Tech University Health Sciences Center at El Paso**  
**Angelo State University**  
**Midwestern State University**

1. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), each institution does not, except as required by federal law, have any office, division or unit with the established purpose of influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws.
2. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), each institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity.
3. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), each institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by each institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.
4. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), each institution does not, except as required by federal law, have any office, division or unit with the established purpose of conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by each institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

5. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), each institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).
6. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), each institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.
7. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), each institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.
8. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), each institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).
9. I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that each institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).
10. I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to each institution for FY25 have been spent prior to submission of this certification report for FY24 to the Legislature and the Texas Higher Education Coordinating Board.
11. I understand the State Auditor's Office will conduct a compliance audit for each institution and if violations of Tex. Educ. Code § 51.3525 are found, each institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.
12. I understand the Coordinating Board will forward all complaints regarding an institution's violation of Tex. Educ. Code § 51.3525 to the State Auditor's Office for review.

### **Institutional Actions to Comply with Tex. Educ. Code § 51.3525**

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year Texas Tech University System and its component institutions have conducted the following actions to comply with the statute:

TTUS and its system components have taken comprehensive measures to ensure full compliance with the requirements and provisions set forth in SB 17. It would be impossible to describe each and every action taken to ensure compliance with SB 17; however, from a high level, our efforts have included, but are not limited to, the following:

1. Upon SB 17 being signed by Governor Abbott on June 17, 2024, the TTUS administrative team promptly reviewed the contents to understand its implications thoroughly. In fact, in anticipation of SB 17 being signed by Governor Abbott, TTUS issued a legal memorandum to all of its component institutions on June 8, 2023 outlining the provisions of SB 17 and to discuss next steps to ensure compliance with the bill's provisions. This memo is available on the TTUS Office of General Counsel website and can be accessed [here](#).
2. TTUS developed an implementation plan to review and align its policies, operations, trainings, and programs with the requirements set forth in SB 17. As part of this plan, TTUS assembled a task

force with representatives from the TTUS Office of General Counsel, TTUS Office of Equal Opportunity, and the TTUS Office of Governmental Relations to assist the component institutions in reviewing their current practices and policies and provide guidance to aid institutions with implementing the bill's requirements.

3. On September 14, 2023 TTUS issued a Guidance Document for faculty and staff regarding questions related to SB 17. This Guidance Document is available on the TTUS Office of General Counsel website and can be accessed [here](#).
4. As part of the implementation plan, the TTUS task force reviewed and provided analysis on approximately 500 SB 17 inquiries and questions submitted by TTUS component institutions. On September 27, 2023, the task force's recommendations and analysis of these more than 500 SB 17 inquiries and questions were incorporated into a detailed spreadsheet and distributed to each component institution.
5. Institutional SB 17 Audit Reports have been completed and issued to component institutions with auditor's recommended action plans to ensure sustained compliance.
6. The TTUS Office of General Counsel, in consultation with the TTUS Office of Equal Opportunity, and the TTUS Office of Governmental Relations, provides advice and guidance on questions that continue to arise. To this end, the TTUS Office of General Counsel has a standing weekly virtual meeting to answer any SB 17 related questions that component institutions may have to ensure compliance with the Bill's provisions.

I certify that all information in this submission is true, accurate, and complete.

Kind regards,

A handwritten signature in black ink that reads "Mark Griffin". The signature is written in a cursive, flowing style.

Mark Griffin, Chairman

Board of Regents, Texas Tech University System

Date Signed: August 19, 2024

cc: Tedd L. Mitchell, M.D., Chancellor

Institution: Prairie View A&M University  
Date Submitted: 08/23/24  
Pages: 16



## System Ethics & Compliance Office

Annual D.E.I. Compliance

*ECO Review Checklist*

Member Agency/Institution:

Prairie View A&M University

Ethics & Compliance Officer:

DeAnna M. Nwankwo

Chief Executive Officer:

Dr. Tomikia LeGrande

FINANCE & BUDGETING	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<p><b><u>Budgets &amp; Accounting:</u></b> Determine whether the member has complied with the elimination of account and budget codes that fund diversity, equity, and inclusion initiatives in violation of DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</p>				
<ul style="list-style-type: none"> <li>Identified accounts and/or budget codes that fund DEI initiatives and taken action to ensure compliance.</li> </ul>	Y	Dr. Cynthia Carter-Horn, SVP for Business Affairs/CFO	Reviewed "DEI Audit CFO Certification Documentation" and the outcome of the review performed by the CFO. The status of the funding has been identified in the document and allowability addressed.	5/24/2024
<ul style="list-style-type: none"> <li>Eliminated accounts and/or budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources that violate DEI Law.</li> </ul>	Y	Dr. Cynthia Carter-Horn, SVP for Business Affairs/CFO	Reviewed the assessment of an account that needed an additional level of review and the outcome of actions taken during the review. The process is defined.	5/24/2024
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review and vetting of current and proposed accounts and budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources to ensure compliance.</li> </ul>	Y	Dr. Cynthia Carter-Horn, SVP for Business Affairs/CFO	The process outlined for the systemic review and vetting of current and proposed accounts and budget codes has been implemented and will be tested quarterly.	5/24/2024
<ul style="list-style-type: none"> <li>Implemented a record-retention process for reporting purposes.</li> </ul>	Y	Dr. Cynthia Carter-Horn, SVP for Business Affairs/CFO	The record retention policy required by the state and defined at the System will be followed.	5/24/2024

<b>HUMAN RESOURCES</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (identify documented evidence used in the process)	<b>Date Verified</b>
<b>DEI Related Offices and Third-Party Contracts:</b> Determine whether the member has complied with the elimination of departments, divisions, and/or offices that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified offices, divisions, or other units that are responsible for diversity, equity, and inclusion initiatives and took action to ensure compliance.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	There were no offices/units identified with responsibility for diversity, equity and inclusion on the campus. PVAMU has not had a DEI office on campus.	6/3/2024
<ul style="list-style-type: none"> <li>Identified third-party vendors performing the duties of a diversity, equity, and inclusion office and took action to ensure compliance.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	PVAMU does not have any contracts with third-party vendors performing the duties of a diversity, equity, and inclusion office. We identified job posting sites in use that may have violated the DEI Law, PVAMU no longer posts on those websites (BlacksinHigherEd.com and DiverseEducation.com).	6/3/2024
<b>Personnel:</b> Determine whether the member has complied with the restriction on hiring or assigning employees to perform the duties of diversity, equity, and inclusion.				
<ul style="list-style-type: none"> <li>Identified active personnel with responsibilities for performing diversity, equity, and inclusion functions and took action to ensure compliance.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	Reviewed the active position list generated by Human Resources (4/26/2024) and randomly selected positions on the list to verify no prohibitive DEI language was present. Reviewed the following positions: P-112572 Student Hourly Asst – Amber M.; P-185579 Grad Asst. Research Gbenro O.; P06711 Director, Athletic Academic Services Nartleski W. and P121712 Asst, Professor Roman K.	6/4/2024
<ul style="list-style-type: none"> <li>Identified unallowable personnel duties within active and inactive job descriptions and working templates for language that violates DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	Reviewed duties of both active and inactive job descriptions for any language that would violate the DEI Law. None were found. I reviewed the following active jobs: P06251 Asst. Professor Justin B., P185632 Student Research Asst. Jarrell R., P53278 Education Abroad Advisor I Zachary D. and inactive jobs: P168344 Adjunct Instructor Political Science Unfilled updated 05/2024, P177413 Multimedia Production Specialist Unfilled 04/2024, P177414 Academic Advisor II Unfilled 05/2024 and P109421 Administrative Associate II (Academic Advising Services Unfilled – Hiring in process. HR will ensure the position is compliant when filled. System Internal Audit was advised of the inability to update position descriptions that are in process of being filled.	6/4/2024

<ul style="list-style-type: none"> <li>Identified employee funding sources that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	Reviewed the list of HR accounts and determined none would violate the DEI Law.	6/3/2024
<p><b><u>Hiring and Employment Practices and Procedures:</u></b> Determine whether member hiring and employment practices and procedures have been updated to exclude requirements for DEI statements and do not provide special preferential treatment on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution relating to this process.</p>				
<ul style="list-style-type: none"> <li>Reviewed hiring and employment documents and materials, to include rubrics and matrices, and identified prohibited language, requirements, practices and/or procedures took action to ensure compliance. (See DEI Law Operations Manual under IV. Monitoring, Section B, Item 2c for a comprehensive list.)</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	Reviewed hiring documents for the Athletics Compliance, R073404 Athletic Compliance Officer position. The following documents were requested: Standard Interview Questionnaire, Interview Matrix, Personnel Hiring Form, reference check questions, position job description, and the applicant list.	6/3/2024
<ul style="list-style-type: none"> <li>Reviewed performance evaluation tools and metrics, documents and forms for promotions, merit increases, and equity adjustments, and all related procedures; identified prohibited language and/or requirements and took action to ensure compliance.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	Reviewed the Performance Evaluation tool and found no prohibitive language. There are no specific forms for merit increases and the university does not have specific forms for promotions or equity adjustments.	6/3/2024
<ul style="list-style-type: none"> <li>Implemented a system of systemic evaluation and review to vet proposed positions, processes, and materials to ensure they meet compliance prior to publication.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	Reviewed the newly implemented HR process for vetting proposed positions and associated documents before posting to ensure they meet compliance. The Chief Compliance Officer will monitor the process for compliance.	5/27/2024
<p><b><u>Training Sessions and Materials:</u></b> Determine whether the member has complied with the elimination of required training sessions and materials that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</p>				
<ul style="list-style-type: none"> <li>Reviewed required training sessions for those identified as prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources Ms. Patricia Williams,	Reviewed the list of training in TrainTraQ along with Ms. Williams and removed student and employee access to training that were found to have prohibitive DEI language/content. The training will not be released until the content is updated and is	5/27/2024

		HR Manager, Talent & Organizational Development, Office of Human Resources	found in compliance with the DEI Law. Review the Required Training spreadsheet provided by internal audit.	
<ul style="list-style-type: none"> <li>Reviewed all training sessions and materials for language and elements prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources Ms. Patricia Williams, HR Manager, Talent & Organizational Development, Office of Human Resources	Reviewed the list of training in TrainTraq along with Ms. Williams and removed student and employee access to training that were found to have prohibitive DEI language/content. The training will not be released until the content is updated and is found in compliance with the DEI Law. Review the Required Training spreadsheet provided by internal audit.	5/27/2024
<ul style="list-style-type: none"> <li>Implemented procedures to review proposed training sessions and materials for compliance prior to activation.</li> </ul>	Y	Ms. Cheryl Greene, Executive Director, Human Resources	The Department has implemented a new procedure to review all proposed training sessions and materials to ensure prohibitive language is not part of any training sessions offered through TrainTraq.	6/4/2024
<b>FACULTY AFFAIRS</b>	<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(Identify documented evidence used in the process)</i>	<b>Date Verified</b>
<b><u>Procedures, Programs and Activities:</u> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</b>				
<ul style="list-style-type: none"> <li>Reviewed all faculty hiring and recruiting practices and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Cheryle Snead- Greene, Assistant Provost	A review of all faculty hiring and recruiting practices conducted by HR personnel prompted the reestablishment of protocols that require a preliminary review of job description language and job postings to ensure compliance with the DEI Law and require all academic units to submit interview and final selection procedures to HR for a compliance review before the selection process begins to ensure alignment with system/organizational standards and legal regulations.	6/3/2024
<ul style="list-style-type: none"> <li>Reviewed all procedures for tenure review, promotions, merit increases, and equity adjustments; identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Rahim Quazi, Special Assistant to the Provost	Reviewed the Faculty Handbook (sections Faculty Performance Evaluation [FPE] Instrument, Salary Adjustment, The Merit System and Tenure) 2023-2024 Academic Year. No violations of the DEI Law were discovered.	5/27/2024

<ul style="list-style-type: none"> <li>Reviewed all faculty organizations supported by the university to evaluate their purpose, structure, and funding. Identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Dr. Rahim Quazi, Special Assistant to the Provost</p> <p>DeAnna M. Nwankwo Chief Compliance Officer</p>	<p>Reviewed the purpose and structure of both recognized PVAMU-supported faculty organizations: the Constitution for the Faculty Senate and the American Association of University Professors, PVAMU Chapter. No violations of the DEI Law were observed.</p> <p>Donor agreements (6) from the Office of Development were reviewed for DEI content and assessed whether any agreements had non-permissible DEI language regarding awarding of scholarships/awards.</p>	5/27/2024
<ul style="list-style-type: none"> <li>Reviewed all grant proposals and accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Dr. Ramaswamy Krishnamoorthi Executive Director, Research and Innovation Administration</p>	<p>Research policies, MOUs, and contract agreements were reviewed. Active 2024 grants were scanned and identified whether the grants were permissible or required further review if DEI language was identified. Periodic review of proposals for DEI compliance will be performed.</p>	6/6/2024
<ul style="list-style-type: none"> <li>Reviewed all accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Dr. Carmen Carter, Assistant Provost</p>	<p>Reviewed Accreditation language provided by Faculty Affairs as part of the institution's compilation of data in the summer of 2023. The information reviewed consisted of the Name of each program, the accreditation entry, the DEI accreditation language and point of contact.</p>	5/27/2024
<ul style="list-style-type: none"> <li>Reviewed the provisions for all academic or professional opportunities extended to students, faculty, and visiting scholars to include institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Dr. Michael McFrazier, Interim Provost and Senior VP for Academic Affairs</p>	<p>Reviewed the DRAFT PVAMU Conference Attendance Review and Approval Form. No violations of the DEI Law were observed.</p>	6/4/2024
<ul style="list-style-type: none"> <li>Reviewed all forms, documents, procedures, and practices related to the functions listed in this section and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Dr. Cheryle Snead-Greene, Assistant Provost</p>	<p>Reviewed the documented process outlined on the division checklist as well as sampled the following forms that were reviewed by Faculty Affairs. No forms reviewed were found out of compliance. Forms reviewed were: PVAMU External Employment Form FY 2022; PV Online Observation form; PV Faculty Handbook 2023-2024 Academic Year – discovered DEI-related words, diversity and equity were used in allowable context.</p>	5/27/2024
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all functions listed in this section to include the vetting of proposed processes, practices, organizations, funding proposals, certifications and</li> </ul>	Y	<p>Dr. Michael McFrazier, Interim Provost and Senior VP for Academic Affairs</p>	<p>The University will onboard a new Provost and Senior Vice President for Academic Affairs on July 1, 2024. The Provost will work with current Faculty Affairs staff to implement procedures for the systemic evaluation and review of all functions to ensure compliance. The current documented processes used to assess compliance in Faculty Affairs are sufficient.</p>	6/4/2024

corresponding materials to ensure compliance.				
<b>STUDENT AFFAIRS</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (identify documented evidence used in the process)	<b>Date Verified</b>
<b><u>Procedures, Programs and Activities:</u></b> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.				
<ul style="list-style-type: none"> <li>Reviewed all departmental events including institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Student Affairs Leadership	Reviewed completed checklists from various functional areas within the Division of Student Affairs and reviewed supporting documentation for the former Multicultural Affairs Office (now Student Ombuds Office), Student Conduct and Social Support Services. No violations of the DEI Law were observed.	5/27/2024
<ul style="list-style-type: none"> <li>Reviewed all staff work and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Student Affairs Leadership	Reviewed the evaluation of each department within Student Affairs reported on the Compliance Review Checklist. Noted the Student Support Services group modified	5/27/2024
<ul style="list-style-type: none"> <li>Reviewed all student and staff training sessions and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Student Affairs Leadership	Reviewed completed checklists from various functional areas within the Division of Student Affairs and reviewed supporting documentation regarding training led by the Division for Student Leaders and found no violations of the DEI Law (reviewed New Student Leader Summit Schedule document).	5/27/2024
<ul style="list-style-type: none"> <li>Reviewed all student success and outreach programs and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Student Affairs Leadership	Reviewed the completed compliance checklists and summary provided by the former Director for Multicultural Affairs (now Student Ombuds) and the Student Success and Outreach Program regarding the action taken to ensure compliance with the DEI Law.	5/27/2024
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all trainings, programs, events, and activities to ensure compliance.</li> </ul>	Y	Student Affairs Leadership	Reviewed the procedures defined for ongoing compliance by the Division and found them to be appropriate. Ongoing monitoring within the Division and by the Chief Compliance Officer is planned.	5/27/2024

SCHOLARSHIPS & FINANCIAL AID	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b>Scholarships &amp; Financial Aid:</b> Determine whether the member has discontinued the award of scholarships and financial aid that promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.				
<ul style="list-style-type: none"> <li>Reviewed all awards administered, promoted, and/or facilitated by the member for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Joy Thomas Executive Director, Office of Student Financial Aid	Reviewed PVAMU Scholarship Awarding and Management Manual/Guidelines, Office of Student Financial Services, pages 11-12 for newly updated section on SB-17 Compliance Review. Reviewed "Outside scholarship support" documenting internal and external scholarship websites scrubbing for non-compliant language to award based on sex, race, gender, nation of origin. Appropriate steps were taken to eliminate scholarships/awards that were non-compliant.	5/25/2024
<ul style="list-style-type: none"> <li>Reviewed all outlets announcing or promoting scholarships and financial aid, to include websites and social media pages, for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Joy Thomas Executive Director, Office of Student Financial Aid	Reviewed the results of 690 scholarships reviewed by the Financial Aid team Scholarships with criteria that violated the DEI Law were removed from the website while further vetting by staff was performed. Reviewed the "Outside scholarship support" document and requested supporting documentation for any corrections made when DEI Law violations were discovered on social media sites. All content complied with the DEI Law while harvesting key terms.	5/29/2024
<ul style="list-style-type: none"> <li>Reviewed all materials including but not limited to applications, informational documents, marketing materials, guidelines, and operating documents for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Joy Thomas Executive Director, Office of Student Financial Aid	Financial Aid staff reviewed the financial aid application for any violations of the DEI Law. None were discovered.	5/29/2024
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	Y	Dr. Joy Thomas Executive Director, Office of Student Financial Aid	Reviewed PVAMU Scholarship Awarding & Management Manual/Guidelines, Office of Student Financial Services. Pages 11-12, SB 17 Compliance Review	5/25/2024
<b>ATHLETICS</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (identify documented evidence used in the process)	<b>Date Verified</b>

<b><u>Procedures, Programs and Activities:</u> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</b>					
<ul style="list-style-type: none"> <li>Reviewed procedures, programs, and activities for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Christina Ross, Associate Athletic Director for Compliance	Reviewed executed game contracts (Mississippi State University 12 8 24, Seattle University 11 4 23, and SMU 9 16 23) and found no violations of DEI Law.	5/27/2024	
<ul style="list-style-type: none"> <li>Reviewed required non-athletic training sessions (internal and external) for students and staff for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Christina Ross, Associate Athletic Director for Compliance	There is one Train Traq training that is currently paused that incoming, transfer and continuing student-athletes are required to take that is currently undergoing content review by the vendor.	5/27/2024	
<ul style="list-style-type: none"> <li>Reviewed all materials developed, produced, funded, and distributed through the department to include applications, marketing materials, guidelines, operating manuals, and any other publication provided by the department for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Christina Ross, Associate Athletic Director for Compliance	Reviewed randomly selected documents available: Billy Monroe Football Tryout Packet, NCAA Student-Athlete Statement and the Students-Athlete Misconduct Attestation Form- no violations were observed.	5/27/2024	
<ul style="list-style-type: none"> <li>Reviewed all co-sponsored events with outside entities for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Christina Ross, Associate Athletic Director for Compliance	Reviewed the Co-Sponsored Events with Outside Entities Procedure. There were no co-sponsored events since January 1, 2024, available for review.	5/27/2024	
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	Y	Ms. Christina Ross, Associate Athletic Director for Compliance	Reviewed documented procedures for Athletics Programs and Activities, Co-sponsored Events, Departmental Materials, Event and Programming Approval process and form, and the Non-Athlete Training Sessions Procedure. The Division has implemented a process for all programs and activities to be reviewed and approved by the Athletic Director, Senior Woman Administrator and Associate AD for Compliance.	5/27/2024	
<b>WEBSITES &amp; SOCIAL MEDIA</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (identify documented evidence used in the process)	<b>Date Verified</b>	
<b><u>Website and Social Media Information:</u> Determine whether references to unallowable diversity, equity and inclusion activities on member websites and social media platforms have been identified and removed.</b>					


<ul style="list-style-type: none"> <li>Reviewed member websites and social media platforms for content, links, static materials, and downloadable documents for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Candace Johnson Executive Director Marketing Communications	Reviewed the most recent assessment reports from MarComm. Reviewed the Office of University Compliance website for SB 17 compliance and made corrections on the Vector Home Page and reviewed the context of the use of the word Diversity on the "Core Values" page. No edits were required on the Core Values page.	6/4/2024	
<ul style="list-style-type: none"> <li>Reviewed affiliate websites and social media platforms for content and affiliation language in violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Candace Johnson Executive Director Marketing Communications	Reviewed social media and website reports that were provided by units with Communication Leads. They are following the defined process for reviewing websites and social media posts for compliance with the DEI Law.	6/4/2024	
<ul style="list-style-type: none"> <li>Implemented a systemic process of review of member websites, domains, and social media platforms to include keyword searches to identify references to DEI related terms that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Ms. Candace Johnson Executive Director Marketing Communications	A documented process has been developed for performing and documenting the review of university/departments websites and social media sites to ensure content does not violate the DEI Law. The evaluation process and reports (monthly) from communication leads have been reviewed.	6/4/2024	
<ul style="list-style-type: none"> <li>Implemented a vetting process by which proposed information to be posted to member websites, domains, social media platforms, or any Internet or network outlet will be evaluated to ensure compliance with DEI Law.</li> </ul>	Y	Ms. Candace Johnson Executive Director Marketing Communications	The Executive Director meets with Communication Leads from various departments, weekly and the social media council monthly to ensure the process for vetting proposed information that will be posted to PVAMU websites and social media platforms comply with the DEI Law.	6/4/2024	
<b>INTERNAL CONTROLS &amp; MONITORING</b>		<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(Identify documented evidence used in the process)</i>	<b>Date Verified</b>
<b><u>Internal Controls &amp; Monitoring:</u> Determine whether the member has removed prohibited diversity, equity, and inclusion related rules, developed and implemented operating procedures, and implemented internal controls according to DEI Law and A&amp;M System Policy 08.01.</b>					
<ul style="list-style-type: none"> <li>Reviewed and identified member rules and operating procedures in place that are not compliant with DEI Law and took action to ensure compliance.</li> </ul>	Y	Melissa De Witt Compliance Officer II Policies and Procedures	The Policies and Procedures Compliance Officer (Office of University Compliance) reviewed existing University Rules (UR) for SB 17 compliance. Any URs found out of compliance were identified and the Compliance Officer worked with policy owners to make necessary updates to bring the Rules into compliance.	6/5/2024	

<ul style="list-style-type: none"> <li>Developed and implemented operating procedures to ensure continued compliance with DEI Law.</li> </ul>	Y	DeAnna M. Nwankwo Chief Compliance Officer	The PVAMU DEI Law Compliance Operations Manual was created based on agreed-upon procedures developed by university stakeholders to maintain compliance with the DEI Law. The Manual has been implemented and will be used to conduct routine compliance reviews to ensure the University remains in compliance with the DEI Law.	6/5/2024	
<ul style="list-style-type: none"> <li>Implemented internal controls including assignment of monitoring responsibilities, procedures for training, and processes for disseminating information to stakeholders to ensure compliance with DEI Law.</li> </ul>	Y	DeAnna M. Nwankwo Chief Compliance Officer	Each Division has identified SB 17 Liaisons who are responsible for working with the Chief Compliance to ensure the university remains in compliance with SB 17.	6/5/2024	
<ul style="list-style-type: none"> <li>Developed a compliance response and reporting process to address issues of noncompliance with DEI Law.</li> </ul>	Y	DeAnna M. Nwankwo Chief Compliance Officer	Compliance with SB 17 on the PVAMU campus will involve collaboration between the President/CEO, Senior Vice Presidents, Chief Compliance Officer (CCO), Division SB 17 Liaisons, faculty, students and staff. Compliance with the DEI Law will be monitored regularly within the divisions and quarterly reports issued to the CCO to assess and maintain compliance.	6/5/2024	
<ul style="list-style-type: none"> <li>Identified procedures for disciplinary action/sanctioning for violations of DEI Law.</li> </ul>	Y	DeAnna M. Nwankwo Chief Compliance Officer	Established System policies and regulations and PVAMU rules and procedures for disciplinary actions/sanctions will be used for violation of the DEI Law.	6/5/2024	

**SUMMARY OF FINDINGS: (to be completed by SECO/OGC)**

- X** Meets compliance
- Meets compliance after implementing recommendations
- Factors preventing compliance as agency/institute of higher learning has not implemented recommendations on statutory/regulatory requirements

**SIGNATURES**



Compliance Officer

6/26/2024 | 12:56 PM CDT

Date

Approved by:



Chief Executive Officer

6/26/2024 | 12:58 PM CDT

Date



# PRAIRIE VIEW A&M UNIVERSITY

A Member of the Texas A&M University System

## DEI Law Certification of Compliance

### CHIEF EXECUTIVE OFFICER ACKNOWLEDGEMENT

Member Institution/Agency: Prairie View A&M University

Chief Executive Officer: Tomikia P. LeGrande

I certify, under penalty of perjury and the loss of funding to Prairie View A&M University, that Prairie View A&M University has complied with the requirements in Tex. Educ. Code § 51.3525:

*TPL*  
[ ] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of:

- influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;
- promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
- promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

*TPL*  
[ ] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

TPL

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

TPL

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

TPL

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

TPL

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).

TPL

I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY25 have been spent prior to submission of this certification report to the Legislature and the Texas Higher Education Coordinating Board.

TPL

I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

TPL

I understand all complaints regarding any violations made by this institution will be sent to the State Auditor's Office for review.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year Prairie View A&M University has conducted the following:

- Conducted a review of all programs and activities, offices, personnel, and training sessions for potential violations of Tex. Educ. Code § 51.3525 and discontinued those found to be in violation.
- Updated *The Texas A&M University System Policy 08.01 Civil Rights Protection and Compliance* to reflect additions to Tex. Educ. Code § 51.3525 which was adopted by the Board of Regents in August 2023.
- Developed and implemented operating procedures in line with the updated System policy and The Texas A&M University System D.E.I. Compliance Operational Manual to facilitate on-going compliance with Tex. Educ. Code § 51.3525. See attached compliance checklist as supporting documentation.
- Participated in an audit review by The Texas A&M University System Department of Internal Audit with the objective of evaluating actions taken by the institution to ensure compliance with Tex. Educ. Code § 51.3525.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.

*Tomikia P. UGrande*

Signature of Institution President/CEO

6/27/2024 | 7:41 AM CDT

Date

*Kullin Mahmood*

Signature of Board Chair

8/16/24

Date



# PRAIRIE VIEW A&M UNIVERSITY

A Member of the Texas A&M University System

## ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM

I, Tomikia P. LeGrande, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

Tomikia P. LeGrande

Signature

8/14/2024 | 9:26 AM CDT

Date

Please check one:

- President
- Board Chair

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Office of the President

P.O. Box 519; Mail Stop 1001 Prairie View, TX 77446-0519

Phone (936) 261-2111 Fax (936) 261-2115

UNIVERSITIES

- Texas A&M University
- Texas A&M University at Galveston
- Texas A&M Health Science Center
- Prairie View A&M University
- Texas A&M University-Commerce
- Tarleton State University
- West Texas A&M University
- Texas A&M University-Kingsville
- Texas A&M University-Corpus Christi
- Texas A&M International University
- Texas A&M University-Texarkana
- Texas A&M University-Central Texas
- Texas A&M University-San Antonio



AGENCIES

- Texas A&M AgriLife Research
- Texas A&M Engineering Experiment Station
- Texas A&M Forest Service
- Texas A&M AgriLife Extension Service
- Texas A&M Engineering Extension Service
- Texas A&M Transportation Institute
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Texas Division of Emergency Management

OTHER MEMBER INSTITUTIONS

- Texas A&M-RELLIS
- Texas A&M-Fort Worth

# Board of Regents

## THE TEXAS A&M UNIVERSITY SYSTEM

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Bill Mahomes, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

*William Mahomes*  
Signature

August 16, 2024  
Date


Please check one:

- President
- Board Chair

Institution: Sam Houston State University  
Date Submitted: 08/08/24  
Pages: 11

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Dr. Alisa White, Sam Houston State University, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

  
\_\_\_\_\_  
Signature

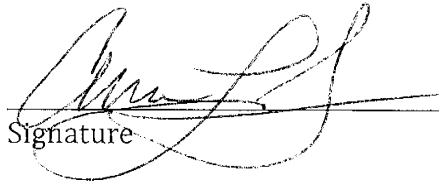
8/8/2024  
\_\_\_\_\_  
Date

Please check one:

- President
- Board Chair

ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM

I, Alan L. Tinsley, Texas State University System, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

  
Signature

8/8/2024  
Date

Please check one:

- President
- Board Chair



Alisa White

# Sam Houston State University

MEMBER THE TEXAS STATE UNIVERSITY SYSTEM

## OFFICE OF THE PRESIDENT

I certify, under penalty of perjury and the loss of funding to my institution (listed below) that my institution has complied with the requirements in Tex. Educ. Code § 51.3525:

### Sam Houston State University

- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

*Sam Houston State University is an Equal Opportunity/Affirmative Action Institution*

- [X] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).
- [X] I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY25 have been spent prior to submission of this certification report for FY24 to the Legislature and the Texas Higher Education Coordinating Board.
- [X] I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.
- [X] I understand the Coordinating Board will forward all complaints regarding an institution's violation of Tex. Educ. Code § 51.3525 to the State Auditor's Office for review.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year my institution has conducted the following actions to comply with the statute:


- Leadership notified the University campus about SB 17 prohibitions.
- Conducted a self-assessment of its departments to identify any DEI programs, initiatives, departments, and positions.
- Met with all college deans and divisional leadership to discuss implementation of SB 17 including personnel changes, if any.
- Ceased DEI-related programs or initiatives.
- Closed DEI departments or offices (the Center for Diversity and Intercultural Affairs was eliminated).
- Reviewed job descriptions to ensure DEI duties were not assigned to any employee.
- Eliminated job duties prohibited by SB 17.
- Reviewed its website and removed non-compliant web materials.
- Adopted a University policy that prohibits DEI offices, officers, programs, initiatives, and provides for disciplinary action, up to and including termination, against anyone who violates the policy.
- Reviewed mandatory training materials to confirm that such training does not contain prohibited DEI components.
- Will have the Office of Compliance and Insurance conduct quarterly reviews of training records to ensure prohibited training is not being conducted.
- Adheres to its non-discrimination policies, which are based on state and federal law, and which prohibit consideration of race, sex, color, ethnicity, or national origin in employment decisions.
- Requires employees to complete EEO/Civil Rights training provided by the Texas Workforce Commission upon hire and every two years thereafter.
- As employee recruitment and hiring is managed through Human Resources, Sam Houston State University employee search committees and hiring authorities cannot see the race, sex, color, ethnicity, or national origin of an applicant, therefore, the pre-interview selection is blind to such categories.
- Training for search committee and hiring managers contain best practices for making merit-based hiring decisions.
- Complied with the directive issued by Chancellor McCall on March 2, 2023, to immediately eliminate the use or consideration of a diversity statement in all hiring practices and to review campus policies and, if necessary, modify policies to ensure


compliance. University leadership, including leadership in Human Resources, were notified of the prohibition on the use of diversity statements. If an unsolicited diversity statement is received with the job application, the diversity statement is removed from the job application and is not forwarded to the search committee or hiring manager. In the event a search committee or hiring manager receives a diversity statement through any means, all search committee members and hiring managers are informed that they may not consider the diversity statement in the candidate review process.

- Reviewed scholarships and grants to ensure eligibility/award criteria did not give preference on the basis of race, sex, color, ethnicity, or national origin, and worked with donors/grantors to modify criteria or suspend awards until modifications were in place for those scholarships/grants where criteria did not comply with SB 17.
- Actively participated in the system-wide internal audit, which included:
  - reviewing policies designed to ensure compliance with SB 17,
  - determining what actions were taken to eliminate/close DEI-related programs/offices (where applicable) and analyzing resultant personnel actions,
  - reviewing the position descriptions/job duties of and interviewing personnel who transitioned from performing DEI-related activities to new roles,
  - reviewing hiring protocols, job postings, and trainings,
  - observing campus signage,
  - performing searches of websites for potential non-compliant information,
  - reviewing departmental and program operations, and
  - testing expenditures.
- Sam Houston State University remains committed to ensuring continued compliance with provisions of SB 17.

[X] I certify that all information in this submission is true, accurate, and complete.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.

Signature of Institution President:   
Date: 08-08-2024

Signature of Board Chair:   
Date: 8/8/24

Alan L. Tinsley

# Office of Internal Audit

## Senate Bill 17 Audit Report

August 2, 2024



**Carole M. Fox, CPA**  
Chief Audit Executive, Texas State University System

**Ramona Stricklan, CIA, CFE**  
System Director

**Kelly Blissett, CPA, MBA**  
Director

**Mike Miller, CIA, CGAP**  
Director

**Marylyn Byrd, CPA, CIA, MBA**  
Associate Director

## EXECUTIVE SUMMARY

The Office of Internal Audit has completed an audit of The Texas State University System's (TSUS) compliance with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code, *Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives*. These sections were added to the Education Code as the result of Senate Bill 17 (SB 17), passed in the 88th Legislature, Regular Session, effective January 1, 2024. TSUS leadership began developing strategies to comply with SB 17 under the guidance of the Office of General Counsel in June 2023.

The audit determined that as of the date of this report, the TSUS and its member institutions have taken action and implemented procedures to comply with requirements outlined in Sections 51.3525(b)(1) and (2) of the Education Code. However, the audit noted that one member institution had unintentional errors in a limited number of private scholarships.

No evidence was identified or brought to our attention during the audit that would indicate systemic, deliberate non-compliance.

## BACKGROUND INFORMATION

Section 51.3525(b)(1) of the Education Code requires governing boards to ensure that institutions of higher education do not, except as required by federal law:

- (A) establish or maintain a diversity, equity, and inclusion (DEI) office;
- (B) hire or assign an employee of the institution or contract with a third party to perform the duties of a diversity, equity, and inclusion office;
- (C) compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement;
- (D) give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution; or
- (E) require as a condition of enrolling at the institution or performing any institution function any person to participate in diversity, equity, and inclusion training, which:
  - (i) includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation; and
  - (ii) does not include a training, program, or activity developed by an attorney and approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

Section 51.3525(b)(2) requires governing boards to ensure that institutions adopt policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Section 51.3525(b)(1).

## OBSERVATIONS

The audit determined:

- Policies required by SB 17 have been adopted by the TSUS Board of Regents and its member institutions.
- Appropriate actions were taken to eliminate/close DEI-related programs/offices at member institutions where such offices/programs existed prior to January 1, 2024.

- Except for one employee who resigned, employees affected by the elimination of DEI-related programs/offices transitioned to other positions that do not involve DEI-related activities. In cases where DEI-related duties were assigned to individuals in addition to their regular duties, DEI-related duties were eliminated and removed from job descriptions.
- Management at member institutions reviewed hiring protocols, job postings, and training courses and took appropriate actions where applicable to ensure compliance.
- Campus signage reflecting DEI offices/programs/activities was removed.
- Scholarships, grants, and donor agreements with eligibility criteria based in whole or in part on race, sex, color, ethnicity, or national origin have been modified, suspended, or opened to anyone who meets other non-prohibited eligibility criteria except as noted in this report.
- Processes were established and action taken where deemed necessary to remove references to DEI-related activities/programs from websites (unless clearly archival or related to academic course instruction, scholarly research/creative work, guest speakers/performers on short-term engagements, programs/activities to enhance student academic achievement or postgraduate outcomes, data collection, or student recruitment/admissions).
- No exceptions were noted in tests of expenditures.
- Each of the direct reports to the Presidents initiated reviews of departmental accounts to determine if scholarships, grants, and enrichment programs/stipends contained selection criteria based on (or included references to) race, sex, color, ethnicity, or national origin.
- In support of the Presidents' attestations to the Texas Higher Education Coordinating Board, executive management (Vice Presidents/direct reports to the Presidents) provided attestations (under penalty of perjury) regarding compliance with SB 17 in operations under their purview. In many instances, executive management required certain subordinates to provide similar attestations internally.

Throughout the audit, management was fully engaged, cooperative, and immediately corrected identified errors with the exception of unintentional errors occurring at one member institution relating to the award of certain private scholarships where the eligibility criteria for such awards was based on race, sex, color, ethnicity or national origin. The member institution awarded and paid eight private scholarships totaling \$12,050 for the Spring 2024 semester. This was the result of not only a lack of communication but miscommunication, as well as limitations in the member institution's automated system for disbursing aid. Management has taken corrective action to ensure future non-compliance does not occur.

We would like to thank and acknowledge leadership at System Administration and the Presidents and executive leadership at the member institutions for their assistance and the unprecedented degree of direct involvement and interaction during the audit.

## APPENDIX A

### OBJECTIVES & SCOPE

The overall objective of the audit was to determine if The Texas State University System (TSUS) and its member institutions are complying with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code, *Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives*.

The audit focused on activities that occurred at member institutions to ensure compliance with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code. The following activities were not reviewed because they are specifically excluded by statute:

- academic course instruction,
- scholarly research/creative work,
- guest speakers/performers on short-term engagements,
- programs/activities to enhance student academic achievement or postgraduate outcomes,
- data collection, and
- student recruitment/admissions.

The audit period encompassed May 23, 2023 through August 2, 2024.

The audit was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing*.

### METHODOLOGY

Generally, the audit included, but was not limited to, reviewing institutional responses to self-assessment rubrics developed by the Office of General Counsel; administering and evaluating responses to questionnaires developed specifically for the audit; conducting interviews; observing processes and data contained in automated systems; reviewing donor agreements, grants, and scholarship criteria; reviewing supporting documents and other evidentiary matter; reviewing applicable policies and procedures; evaluating processes related to monitoring websites and social media; and performing keyword searches on websites for non-compliant information.

Specifically, a standard audit program that could be tailored to circumstances at each member institution was developed and deployed; the program included, but was not limited to, gathering sufficient evidence to:

- Determine the instructions provided to institutional executive leadership, faculty, and staff regarding implementation of SB 17 and the communication(s) to departments regarding their responsibilities for ensuring full compliance with SB 17.
- Determine the steps taken to identify and discontinue the activities of any DEI office or contracts with third-party vendors that previously performed the duties of a DEI office.
- Determine the steps taken to reassign or eliminate employee positions that were responsible for performing DEI duties or services. For employee positions that were reassigned (or in cases where DEI-related duties were added to employees' area of responsibility and then removed), determine whether job duties or job descriptions were updated accordingly.

- Determine whether member institutions were not compelling, requiring, inducing, or soliciting individuals to provide a DEI statement and to confirm that member institutions were not giving preferential consideration to any person based on the person's (unsolicited) provision of a DEI statement.
- Determine whether preference was not being given on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant (including students) in any function of the member institutions, including receipt of scholarships, grants, and/or stipends or other benefits.
- Determine whether individuals were required to participate in DEI training as a condition of enrolling at the member institutions or performing any institutional function except training developed and approved by the TSUS Office of General Counsel in accordance with a court order or state or federal law.
- Determine whether documented policies and procedures were reviewed and updated as necessary to remove references to prohibited activities and that they aligned with Education Code 51.3525 requirements.
- Determine whether member institutions adopted a policy and implemented a procedure to ensure compliance with provisions in the TSUS *Rules and Regulations*, Chapter VII, Paragraph 5, including procedures for disciplining, including by termination, employees or contractors who violate Education Code 51.3525 requirements.
- Determine the procedures/activities performed to remove references related to prohibited activities on institutional websites (including documents) and social media accounts and to verify that remaining website content is compliant.
- Determine whether action was taken to ensure signage (office titles, building/elevator directories, printed materials such as flyers) referencing prohibited activities has been removed.
- Determine whether the expenditures tested were compliant with applicable provisions of the statute.
- Determine that no instances of non-compliance were reported by executive management in attestations provided during the audit.

## DISTRIBUTION LIST

### Presidents:

Dr. Jaime Taylor, Lamar University  
Dr. Alisa White, Sam Houston State University  
Dr. Carlos Hernandez, Sul Ross State University  
Dr. Kelly Damphousse, Texas State University  
Dr. Sidney Valentine, Lamar Institute of Technology  
Dr. Thomas Johnson, Lamar State College Orange  
Dr. Betty Reynard, Lamar State College Port Arthur

### Texas State University System:

Dr. Brian McCall, Chancellor  
Nelly Herrera, Vice Chancellor and General Counsel  
Ramona Stricklan, System Audit Director  
Kelly Blissett, Audit Director  
Mike Miller, Audit Director  
Marylyn Byrd, Associate Audit Director

### Texas State University System Board of Regents:

Alan L. Tinsley, Chairman  
Stephen Lee, Chair of the Finance & Audit Committee  
Duke Austin, Member of the Finance & Audit Committee  
Tom Long, Member of the Finance & Audit Committee  
William F. Scott, Member of the Finance & Audit Committee

### State of Texas:

Governor's Office  
Legislative Budget Board  
State Auditor's Office

Institution: Stephen F. Austin State University  
Date Submitted: 08/27/24  
Pages: 11



# STEPHEN F. AUSTIN STATE UNIVERSITY

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**Stephen F. Austin State University**  
**Office of the President**  
P. O. Box 6078, SFA Station • Nacogdoches, TX 75962  
Phone: (936) 468-2201 • Fax: (936) 468-2202

August 16, 2024

Kevin Eltife  
Chairman, Board of Regents  
The University of Texas System  
210 W 7<sup>th</sup> Street  
Austin, TX 78701-2982

Re: Certification Submission for SB 17

Chairman Eltife:

In compliance with the requirements of Tex. Educ. Code § 51.3525 and [the Texas Higher Education Coordinating Board's SB 17 Annual Certification Form](#), I certify, under penalty of perjury and the loss of funding to my institution, that my institution has complied with the requirements in Tex. Educ. Code § 51.3525.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose

of conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).

I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY25 have been spent prior to submission of this certification report for FY24 to the Legislature and the Texas Higher Education Coordinating Board.

I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

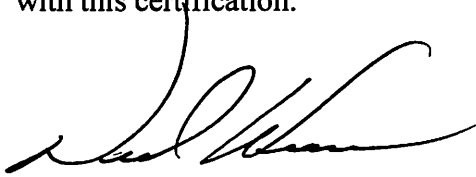
I understand the Coordinating Board will forward all complaints regarding an institution's violation of Tex. Educ. Code § 51.3525 to the State Auditor's Office for review. Institutional Actions to Comply with Tex Educ. Code § 51.3525.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year my institution has conducted the following actions to comply with the statute:

This institution has conducted a thorough review of its operations, policies, procedures, hiring and other practices, trainings, and activities and implemented changes to come into compliance with the statute. Additionally, we conducted an internal audit to ensure compliance and are including a copy of the audit report with the submission of this form.

I certify that all information in this submission is true, accurate, and complete.

A signed copy of the Electronic Signature Acknowledgement and Consent Form also is provided with this certification.

A handwritten signature in black ink, appearing to read 'Neal Weaver', written in a cursive style.

Neal Weaver  
President

Institution Contact Name: Damon Derrick

Institution Contact Email: [derrickdc@sfasu.edu](mailto:derrickdc@sfasu.edu)

Delivered via email to Stacey Napier, General Counsel to the U. T. System Board of Regents

# **Stephen F. Austin State University**

## **Diversity, Equity, and Inclusion (TEC §51.3525) Audit**

**As of May 31, 2024**

**Audit Report 24-103**



## **Department of Audit Services**

**Jane Ann Bridges, CPA, CIA, CFE, Chief Audit Executive  
Box 6121, SFA Station  
Nacogdoches, Texas 75962  
Phone 936-468-5204  
Email [bridgesja1@sfasu.edu](mailto:bridgesja1@sfasu.edu)**

## **BACKGROUND**

The 88th Texas State Legislature passed, and the Texas Governor signed into law, Senate Bill 17, which amended Section 1, Subchapter G, Chapter 51 of the *Texas Education Code* by adding Section 51.3525, “Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives” (TEC §51.3525). TEC §51.3525 requires the Board of Regents of The University of Texas (UT) System, as summarized below, to ensure that each unit of each UT institution does not, except as required by federal law:

- Establish or maintain a diversity, equity, and inclusion (DEI) office;
- Hire or assign an employee of the institution or contract with a third party to perform the duties of a DEI office;
- Compel, require, induce, or solicit any person to provide a DEI statement or give preferential consideration to any person based on the provision of a DEI statement;
- Give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution; and
- Require, as a condition of enrolling at the institution or performing any institution function, any person to participate in DEI training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation.

The Stephen F. Austin State University (SFA or University) Department of Audit Services performed an audit to assess the University’s compliance with TEC §51.3525.

## **OBJECTIVE**

The primary objective of this engagement was to provide the president and executive leadership reasonable assurance as to whether the University has complied with the requirements of TEC §51.3525. This included determining whether the University has:

- Closed the DEI office or made appropriate changes to offices, divisions, or other units that were previously responsible for DEI initiatives.
- Complied with the restriction on hiring or assigning employees to perform DEI duties.
- Updated staff hiring and employment practices to remove requirements for DEI statements and to not provide preferential treatment based on race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any institutional function.
- Complied with the prohibition on requiring participation in DEI training as a condition of enrolling at the institution or performing any institutional function.
- Discontinued programs and activities which promote differential treatment of, or provide special benefits to, individuals based on race, color, or ethnicity.
- Developed or updated disciplinary policies and procedures, if necessary, to comply with TEC §51.3525.

**CONCLUSION ON COMPLIANCE WITH TEC §51.3525**

Based on the work we performed, we believe that the University has achieved compliance with TEC §51.3525:

TEC §51.3525 Requirements	Based on Audit Procedures and Management Actions
“Does not, except as required by federal law: (A) establish or maintain a diversity, equity, and inclusion office[.]”	Complies
“Does not, except as required by federal law:... (B) hire or assign an employee of the institution or contract with a third party to perform the duties of a diversity, equity, and inclusion office[.]”	Complies
“Does not, except as required by federal law:... (C) compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement [.]”	Complies
“Does not, except as required by federal law:... (D) give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution[.]”	Complies
“Does not, except as required by federal law:... (E) require as a condition of enrolling at the institution or performing any institution function any person to participate in diversity, equity, and inclusion training, which: (i) includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation; and (ii) does not include a training, program, or activity developed by an attorney and approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law[.]”	Complies
“(2) adopts policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Subdivision (1).”	Complies

In fall 2023, UT System implemented UTS 197 *Compliance with State Law Regarding Diversity, Equity, and Inclusion in Institutions of Higher Education* (UTS 197) to help achieve and enable ongoing compliance with TEC§51.3525. UTS 197 includes activities which are considered important but are not specifically required by statute. The secondary objective of this audit was to provide reasonable assurance that the University has complied with the requirements of UTS 197.

Based on the work we performed, we believe that the University has achieved significant compliance with the key requirements of UTS 197. However, while not specifically required by statute, we have identified opportunities, as described below, to help ensure ongoing compliance with TEC§51.3525:

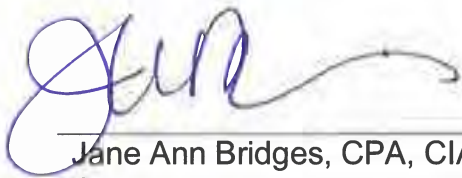
STEPHEN F. AUSTIN STATE UNIVERSITY DEPARTMENT OF AUDIT SERVICES  
 24-103 DIVERSITY, EQUITY, AND INCLUSION (TEC §51.3525)

Observations and Recommendations (by Rating)	Management Action Plans
<p>Medium: The University administers some scholarships that include unallowable qualifiers.</p> <p>Management should strengthen procedures to ensure scholarships that have unallowable qualifiers are not administered by University employees.</p>	<p>Unallowable qualifiers will be removed from the University's electronic scholarship application. Any scholarship gift agreements that have any unallowable qualifiers in the endowment fund title or description, will be inaccessible in the scholarship software, until the gift agreement is amended or if the living benefactor desires the unallowable qualifiers not be removed, the fund will be transferred to UT Foundation for management. This will be completed by September 30, 2024.</p>
<p>Medium: The University has not developed a monitoring plan to ensure ongoing compliance with TEC §51.3525 and UTS 197.</p> <p>The University should develop a formal monitoring plan to ensure ongoing compliance with TEC §51.3525.</p>	<p>The University will establish a formal monitoring plan by December 31, 2024.</p>
<p>Medium: The University has not developed a formal certification process to provide the president with reasonable assurance that all offices and departments of the University are operating in compliance with TEC §51.3525.</p> <p>Management should develop and implement a formal certification process to ensure ongoing compliance with TEC §51.3525.</p>	<p>The University will establish and implement a formal certification process by December 31, 2024.</p>
<p>Medium: The University does not specifically address disciplinary actions for conduct in violation of TEC §51.3525 for Administrative and Professional employees in policy or procedure.</p> <p>Management should more clearly define disciplinary actions relating to non-compliance with TEC §51.3525 for Administrative and Professional employees in University policy or procedure.</p>	<p>The University will review and take appropriate steps to modify HOP 03-201 as appropriate by December 31, 2024.</p>
<p>Medium: The University had not removed several unallowable DEI references from its website and social media accounts.</p> <p>Management should review the DEI references identified and, if appropriate, remove or archive them from the University's website and/or social media accounts. In addition, management should review the identified syllabi and take appropriate action for those syllabi for future semesters.</p>	<p>Management has removed references to DEI which are in violation of TEC §51.3525 and/or UTS 197. The Division of Academic Affairs will review course syllabi to ensure they do not contain references to DEI which are in violation of TEC §51.3525 and/or UTS 197. This will be completed by August 31, 2024.</p>
<p>Low: References in wayfinding signage, murals, and posters to unallowable DEI activities were present in locations on campus.</p>	<p>Departments have been directed to remove</p>

STEPHEN F. AUSTIN STATE UNIVERSITY DEPARTMENT OF AUDIT SERVICES  
 24-103 DIVERSITY, EQUITY, AND INCLUSION (TEC §51.3525)

Observations and Recommendations (by Rating)	Management Action Plans
Management should review all physical spaces on campus to ensure unallowable DEI references are removed.	unallowable DEI references by August 31, 2024.
Low: Two SFA-managed DEI social media accounts, although dormant, were active.  Management should take appropriate action to deactivate the accounts.	The two SFA-managed DEI social media accounts have been deactivated.  No further audit follow-up is required.
Low: Instances of possible DEI-funding were noted. <ul style="list-style-type: none"> <li>• Budgeted funds not expended prior to January 1, 2024, in DEI accounts had not been reallocated.</li> <li>• Expenditures totaling \$865.67 in DEI accounts subsequent to January 1, 2024.</li> <li>• DEI accounts were active in Banner, and therefore, could be used for expending funds.</li> <li>• A dining services program master services agreement made July 1, 2021 with Compass Group USA, Inc. through its Chartwells Division, includes an annual donation of \$5,000 to a University Diversity Fund.</li> </ul> Management should review DEI accounts to ensure budgeted funds are reallocated, expenditures are appropriately recorded, and DEI accounts are deactivated to prevent utilization. In addition, management should review and document the purpose and appropriate use of the annual Chartwells donation.	Budgeted funds which represented savings have been reallocated in the FY25 Budget; expenditures were not for DEI activities and have been reclassified to the appropriate expenditure account; DEI accounts have been set to “no data entry” in the Banner system; and a memorandum of understanding has been executed that changes the annual contribution from diversity to student success.  No further audit follow-up is required.

We will follow up on action plans in this report to determine the implementation status. Follow-up will help ensure that timely action is taken to address the observations in this report.



Jane Ann Bridges, CPA, CIA, CFE  
 Chief Audit Executive  
 Stephen F. Austin State University

**METHODOLOGY AND SCOPE**

SFA Department of Audit Services conducted this engagement in accordance with the *International Standards for the Professional Practice of Internal Auditing* and *Generally Accepted Government Auditing Standards* (GAGAS). Those standards require that we plan and perform the engagement to obtain sufficient, appropriate evidence to provide a reasonable basis for our observations and conclusions based on our objectives. We believe that the evidence obtained provides a reasonable basis for observations and conclusions based on our objectives. The SFA Department of Audit Services is independent per GAGAS requirements for internal auditors.

The procedures we performed included, but were not limited to, interviews with management, reviewing policies and procedures, reviewing hiring practices, reviewing financial information, obtaining and reviewing supporting documentation, testing controls, data analytics, and other work which we deemed necessary to achieve our audit objective.

**SCOPE**

The scope of this audit covered activities management undertook to address DEI-related:

- Offices and duties that may have been performed elsewhere within the institution;
- Staff hiring and employment practices and DEI statements;
- Training;
- Programs and activities;
- Applicable policies and procedures;
- Internal controls and monitoring;
- External facing web pages and social media accounts that may have referenced active DEI activities; and
- Funding.

The scope of the audit included activities taken from January 1, 2024, until May 31, 2024.

**OBSERVATION RATINGS**

Rating	Description
Low	The audit observation does not present significant risks or issues that could negatively impact the University in the area/program/function audited. Action is needed to address the audit observation.
Medium	The audit observation presents risks or issues that if not addressed could moderately impact the University in the area/program/function audited. Action is needed to address the audit observation and reduce risks to a more desirable level.
High	The audit observation presents risks or issues that if not addressed could substantially impact the University in the area/program/function audited. Prompt action is needed to address the audit observation and reduce risks to a more desirable level.
Critical	The audit observation presents risks or issues that if not addressed could critically impact the University in the area/program/function audited. Immediate action is needed to address the audit observation and reduce risks to a more desirable level.

**CRITERIA**

- Texas Education Code §51.3525, Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives;
- University of Texas System Policy 197, Compliance with State Law Regarding Diversity, Equity, and Inclusion in Institutions of Higher Education;
- University of Texas System Senate Bill 17 Guidance;
- Other key institutional policies where applicable.

**REPORT DATE**

August 12, 2024

**REPORT DISTRIBUTION**

President  
Members of Internal Audit Committee  
External Agencies (State Auditor, Legislative Budget Board, Governor's Office)  
UT System Audit Office  
Sr. Vice President of Operating Effectiveness  
Vice President General Counsel & Chief of Staff  
Interim Vice President of Student Affairs

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Neal Weaver, understand that an employee of the University of Texas System Board of Regents will enter my name on the Texas Higher Education Coordinating Board online portal's SB17 Annual Certification form in the electronic signature block for "Institution's President" or "Institution's Board Chair," as applicable, and that this Electronic Signature Acknowledgment and Consent Form (the "Form") is to be submitted in conjunction with the submission of the SB17 Annual Certification form required by 51.3525(e).

I agree and understand that my electronic signatures on this Form and entered on the THECB online SB 17 Certification portal are the legal and valid equivalent of my handwritten signature, and I consent to be legally bound by this Form.

Under penalty of perjury, I herewith affirm that my electronic signature below was completed with my full knowledge and consent and that I am legally bound to these terms and conditions.

  
Signature

8-16-24  
Date:

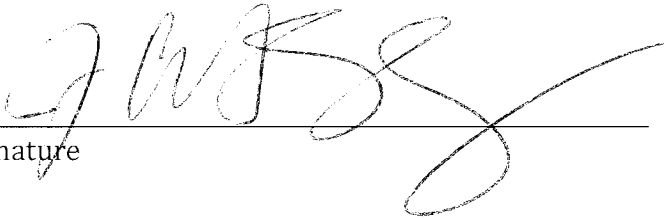
Please check one:

- President
- Board Chair

Institution: Sul Ross State University  
Date Submitted: 08/08/24  
Pages: 11

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Dr. Carlos Hernandez, Sul Ross State University, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

  
\_\_\_\_\_  
Signature

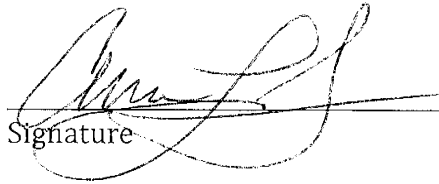
8/8/2024  
\_\_\_\_\_  
Date

Please check one:

- President  
 Board Chair

ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM

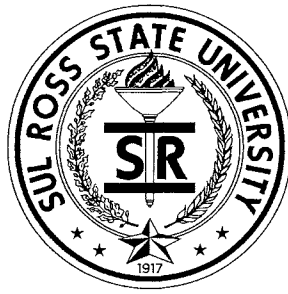
I, Alan L. Tinsley, Texas State University System, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

  
Signature

8/8/2024  
Date

Please check one:

- President
- Board Chair



I certify, under penalty of perjury and the loss of funding to my institution (listed below) that my institution has complied with the requirements in Tex. Educ. Code § 51.3525:

Sul Ross State University

- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.
- I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

- [X] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).
- [X] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).
- [X] I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY25 have been spent prior to submission of this certification report for FY24 to the Legislature and the Texas Higher Education Coordinating Board.
- [X] I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.
- [X] I understand the Coordinating Board will forward all complaints regarding an institution's violation of Tex. Educ. Code § 51.3525 to the State Auditor's Office for review.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year my institution has conducted the following actions to comply with the statute:

- Leadership notified the University campus about SB 17 prohibitions.
- Held leadership meetings to discuss implementation of SB 17.
- Conducted a self-assessment of its departments to identify any DEI programs, initiatives, departments, and positions.
- Ceased DEI-related programs or initiatives.
- Closed the one-person part-time office engaged in DEI activities (Office of Diversity Equity and Inclusion).
- Eliminated job duties prohibited by SB 17.
- Reviewed job postings to remove DEI duties.
- Reviewed third-party training contracts and discontinued any aspects of those contracts that consisted of prohibited DEI activities.
- Reviewed websites and removed DEI web materials.
- Adopted a University policy that prohibits DEI offices, officers, programs, initiatives, and provides for disciplinary action, up to and including termination, against anyone who violates the policy.
- Reviewed mandatory training materials to confirm that such training does not contain prohibited DEI components.
- Imposed a high-level review and approval at the Vice President and President level for any mandatory training for students and employees.
- Sul Ross State University adheres to its non-discrimination policies, which are based on state and federal law, and which prohibit consideration of race, sex, color, ethnicity, or national origin in employment decisions.
- Employees are required to complete EEO/Civil Rights training provided by the Texas Workforce Commission upon hire and every two years thereafter.

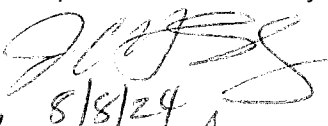
- Sul Ross State University Administrative Policy Manual 5.01 requires hiring departments or search committees to carefully and impartially evaluate all candidates for the position based on bona fide job related qualifications.
- Training for search committee and hiring managers contain best practices for making merit-based hiring decisions.
- Complied with the directive issued by Chancellor McCall on March 2, 2023, to immediately eliminate the use or consideration of a diversity statement in all hiring practices and to review campus policies and, if necessary, modify policies to ensure compliance. University leadership, including leadership in the Human Resources department, were notified of the prohibition on the use of diversity statements. Sul Ross State University's Human Resources department reviewed all University job postings to ensure compliance with hiring best practices and to ensure diversity statements were not solicited or considered. The Human Resources department will remove unsolicited diversity statements from the hiring packet before the packet is provided to the hiring manager or search committee.
- Reviewed scholarships and grants to ensure eligibility/award criteria did not give preference on the basis of race, sex, color, ethnicity, or national origin, and worked with donors/grantors to modify criteria or suspend awards until modifications were in place for those scholarships/grants where criteria did not comply with SB 17.
- Actively participated in the system-wide internal audit, which included:
  - reviewing policies designed to ensure compliance with SB 17,
  - determining what actions were taken to eliminate/close DEI-related programs/offices (where applicable) and analyzing resultant personnel actions,
  - reviewing the position descriptions/job duties of and interviewing personnel who transitioned from performing DEI-related activities to new roles,
  - reviewing hiring protocols, job postings, and trainings,
  - observing campus signage,
  - performing searches of websites for potential non-compliant information,
  - reviewing departmental and program operations, and
  - testing expenditures.
- Sul Ross State University remains committed to ensuring continued compliance with provisions of SB 17.

[X] I certify that all information in this submission is true, accurate, and complete.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.

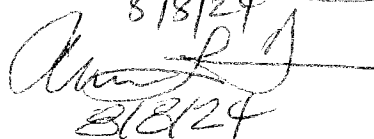
Signature of Institution President:

Date:



Signature of Board Chair:

Date:



Alan L. Tinsley

# Office of Internal Audit

## Senate Bill 17 Audit Report

August 2, 2024



**Carole M. Fox, CPA**  
Chief Audit Executive, Texas State University System

**Ramona Stricklan, CIA, CFE**  
System Director

**Kelly Blissett, CPA, MBA**  
Director

**Mike Miller, CIA, CGAP**  
Director

**Marylyn Byrd, CPA, CIA, MBA**  
Associate Director

## EXECUTIVE SUMMARY

The Office of Internal Audit has completed an audit of The Texas State University System's (TSUS) compliance with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code, *Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives*. These sections were added to the Education Code as the result of Senate Bill 17 (SB 17), passed in the 88th Legislature, Regular Session, effective January 1, 2024. TSUS leadership began developing strategies to comply with SB 17 under the guidance of the Office of General Counsel in June 2023.

The audit determined that as of the date of this report, the TSUS and its member institutions have taken action and implemented procedures to comply with requirements outlined in Sections 51.3525(b)(1) and (2) of the Education Code. However, the audit noted that one member institution had unintentional errors in a limited number of private scholarships.

No evidence was identified or brought to our attention during the audit that would indicate systemic, deliberate non-compliance.

## BACKGROUND INFORMATION

Section 51.3525(b)(1) of the Education Code requires governing boards to ensure that institutions of higher education do not, except as required by federal law:

- (A) establish or maintain a diversity, equity, and inclusion (DEI) office;
- (B) hire or assign an employee of the institution or contract with a third party to perform the duties of a diversity, equity, and inclusion office;
- (C) compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement;
- (D) give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution; or
- (E) require as a condition of enrolling at the institution or performing any institution function any person to participate in diversity, equity, and inclusion training, which:
  - (i) includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation; and
  - (ii) does not include a training, program, or activity developed by an attorney and approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

Section 51.3525(b)(2) requires governing boards to ensure that institutions adopt policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Section 51.3525(b)(1).

## OBSERVATIONS

The audit determined:

- Policies required by SB 17 have been adopted by the TSUS Board of Regents and its member institutions.
- Appropriate actions were taken to eliminate/close DEI-related programs/offices at member institutions where such offices/programs existed prior to January 1, 2024.

- Except for one employee who resigned, employees affected by the elimination of DEI-related programs/offices transitioned to other positions that do not involve DEI-related activities. In cases where DEI-related duties were assigned to individuals in addition to their regular duties, DEI-related duties were eliminated and removed from job descriptions.
- Management at member institutions reviewed hiring protocols, job postings, and training courses and took appropriate actions where applicable to ensure compliance.
- Campus signage reflecting DEI offices/programs/activities was removed.
- Scholarships, grants, and donor agreements with eligibility criteria based in whole or in part on race, sex, color, ethnicity, or national origin have been modified, suspended, or opened to anyone who meets other non-prohibited eligibility criteria except as noted in this report.
- Processes were established and action taken where deemed necessary to remove references to DEI-related activities/programs from websites (unless clearly archival or related to academic course instruction, scholarly research/creative work, guest speakers/performers on short-term engagements, programs/activities to enhance student academic achievement or postgraduate outcomes, data collection, or student recruitment/admissions).
- No exceptions were noted in tests of expenditures.
- Each of the direct reports to the Presidents initiated reviews of departmental accounts to determine if scholarships, grants, and enrichment programs/stipends contained selection criteria based on (or included references to) race, sex, color, ethnicity, or national origin.
- In support of the Presidents' attestations to the Texas Higher Education Coordinating Board, executive management (Vice Presidents/direct reports to the Presidents) provided attestations (under penalty of perjury) regarding compliance with SB 17 in operations under their purview. In many instances, executive management required certain subordinates to provide similar attestations internally.

Throughout the audit, management was fully engaged, cooperative, and immediately corrected identified errors with the exception of unintentional errors occurring at one member institution relating to the award of certain private scholarships where the eligibility criteria for such awards was based on race, sex, color, ethnicity or national origin. The member institution awarded and paid eight private scholarships totaling \$12,050 for the Spring 2024 semester. This was the result of not only a lack of communication but miscommunication, as well as limitations in the member institution's automated system for disbursing aid. Management has taken corrective action to ensure future non-compliance does not occur.

We would like to thank and acknowledge leadership at System Administration and the Presidents and executive leadership at the member institutions for their assistance and the unprecedented degree of direct involvement and interaction during the audit.

## APPENDIX A

### OBJECTIVES & SCOPE

The overall objective of the audit was to determine if The Texas State University System (TSUS) and its member institutions are complying with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code, *Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives*.

The audit focused on activities that occurred at member institutions to ensure compliance with Sections 51.3525 (b)(1) and (2) of Chapter 51, Education Code. The following activities were not reviewed because they are specifically excluded by statute:

- academic course instruction,
- scholarly research/creative work,
- guest speakers/performers on short-term engagements,
- programs/activities to enhance student academic achievement or postgraduate outcomes,
- data collection, and
- student recruitment/admissions.

The audit period encompassed May 23, 2023 through August 2, 2024.

The audit was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing*.

### METHODOLOGY

Generally, the audit included, but was not limited to, reviewing institutional responses to self-assessment rubrics developed by the Office of General Counsel; administering and evaluating responses to questionnaires developed specifically for the audit; conducting interviews; observing processes and data contained in automated systems; reviewing donor agreements, grants, and scholarship criteria; reviewing supporting documents and other evidentiary matter; reviewing applicable policies and procedures; evaluating processes related to monitoring websites and social media; and performing keyword searches on websites for non-compliant information.

Specifically, a standard audit program that could be tailored to circumstances at each member institution was developed and deployed; the program included, but was not limited to, gathering sufficient evidence to:

- Determine the instructions provided to institutional executive leadership, faculty, and staff regarding implementation of SB 17 and the communication(s) to departments regarding their responsibilities for ensuring full compliance with SB 17.
- Determine the steps taken to identify and discontinue the activities of any DEI office or contracts with third-party vendors that previously performed the duties of a DEI office.
- Determine the steps taken to reassign or eliminate employee positions that were responsible for performing DEI duties or services. For employee positions that were reassigned (or in cases where DEI-related duties were added to employees' area of responsibility and then removed), determine whether job duties or job descriptions were updated accordingly.

- Determine whether member institutions were not compelling, requiring, inducing, or soliciting individuals to provide a DEI statement and to confirm that member institutions were not giving preferential consideration to any person based on the person's (unsolicited) provision of a DEI statement.
- Determine whether preference was not being given on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant (including students) in any function of the member institutions, including receipt of scholarships, grants, and/or stipends or other benefits.
- Determine whether individuals were required to participate in DEI training as a condition of enrolling at the member institutions or performing any institutional function except training developed and approved by the TSUS Office of General Counsel in accordance with a court order or state or federal law.
- Determine whether documented policies and procedures were reviewed and updated as necessary to remove references to prohibited activities and that they aligned with Education Code 51.3525 requirements.
- Determine whether member institutions adopted a policy and implemented a procedure to ensure compliance with provisions in the TSUS *Rules and Regulations*, Chapter VII, Paragraph 5, including procedures for disciplining, including by termination, employees or contractors who violate Education Code 51.3525 requirements.
- Determine the procedures/activities performed to remove references related to prohibited activities on institutional websites (including documents) and social media accounts and to verify that remaining website content is compliant.
- Determine whether action was taken to ensure signage (office titles, building/elevator directories, printed materials such as flyers) referencing prohibited activities has been removed.
- Determine whether the expenditures tested were compliant with applicable provisions of the statute.
- Determine that no instances of non-compliance were reported by executive management in attestations provided during the audit.

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## DISTRIBUTION LIST

### Presidents:

Dr. Jaime Taylor, Lamar University  
Dr. Alisa White, Sam Houston State University  
Dr. Carlos Hernandez, Sul Ross State University  
Dr. Kelly Damphousse, Texas State University  
Dr. Sidney Valentine, Lamar Institute of Technology  
Dr. Thomas Johnson, Lamar State College Orange  
Dr. Betty Reynard, Lamar State College Port Arthur

### Texas State University System:

Dr. Brian McCall, Chancellor  
Nelly Herrera, Vice Chancellor and General Counsel  
Ramona Stricklan, System Audit Director  
Kelly Blissett, Audit Director  
Mike Miller, Audit Director  
Marylyn Byrd, Associate Audit Director

### Texas State University System Board of Regents:

Alan L. Tinsley, Chairman  
Stephen Lee, Chair of the Finance & Audit Committee  
Duke Austin, Member of the Finance & Audit Committee  
Tom Long, Member of the Finance & Audit Committee  
William F. Scott, Member of the Finance & Audit Committee

### State of Texas:

Governor's Office  
Legislative Budget Board  
State Auditor's Office

Institution: Tarleton State University  
Date Submitted: 08/23/24  
Pages: 15



Annual D.E.I. Compliance ECO Review Checklist

Member Agency/Institution: Tarleton State University

Ethics & Compliance Officer: Kent Styron

Chief Executive Officer: Dr. James Hurley

FINANCE & BUDGETING	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (Identify documented evidence used in the process)	Date Verified
<b>Budgets &amp; Accounting:</b> Determine whether the member has complied with the elimination of account and budget codes that fund diversity, equity, and inclusion initiatives in violation of DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified accounts and/or budget codes that fund DEI initiatives and taken action to ensure compliance.</li> </ul>	Y	Claudia Dominguez Director, Accounting Services	Reviewed and identified accounts, sub-accounts and/or budget codes that funded DEI initiatives and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Eliminated accounts and/or budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources that violate DEI Law.</li> </ul>	Y	Claudia Dominguez Director, Accounting Services	Reviewed, identified and eliminated accounts and/or budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources which violate DEI Law. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review and vetting of current and proposed accounts and budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources to ensure compliance.</li> </ul>	Y	Claudia Dominguez Director, Accounting Services	Implemented procedures for the systemic review and vetting of current and proposed accounts and budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Implemented a record-retention process for reporting purposes.</li> </ul>	Y	Claudia Dominguez Director, Accounting Services	Implemented a record-retention process for reporting purposes. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24

HUMAN RESOURCES	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b>DEI Related Offices and Third-Party Contracts:</b> Determine whether the member has complied with the elimination of departments, divisions, and/or offices that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified offices, divisions, or other units that are responsible for diversity, equity, and inclusion initiatives and took action to ensure compliance.</li> </ul>	Y	Amy Browder, Director Employee Development	Identified offices, divisions, or other units that are responsible for diversity, equity, and inclusion initiatives and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Identified third-party vendors performing the duties of a diversity, equity, and inclusion office and took action to ensure compliance.</li> </ul>	Y	Amy Browder, Director Employee Development	Identified third-party vendors performing the duties of a diversity, equity, and inclusion office and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<b>Personnel:</b> Determine whether the member has complied with the restriction on hiring or assigning employees to perform the duties of diversity, equity, and inclusion.				
<ul style="list-style-type: none"> <li>Identified active personnel with responsibilities for performing diversity, equity, and inclusion functions and took action to ensure compliance.</li> </ul>	Y	Amy Browder, Director Employee Development	Identified active personnel with responsibilities for performing diversity, equity, and inclusion functions and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Identified unallowable personnel duties within active and inactive job descriptions and working templates for language that violates DEI Law and took action to ensure compliance.</li> </ul>	Y	Amy Browder, Director Employee Development	Identified unallowable personnel duties within active and inactive job descriptions and working templates for language that violates DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Identified employee funding sources that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Amy Browder, Director Employee Development	Identified employee funding sources that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24

<p><b>Hiring and Employment Practices and Procedures:</b> Determine whether member hiring and employment practices and procedures have been updated to exclude requirements for DEI statements and do not provide special benefit or promote preferential treatment on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution relating to this process.</p>					
<ul style="list-style-type: none"> <li>Reviewed hiring and employment documents and materials, to include rubrics and matrices, and identified prohibited language, requirements, practices and/or procedures took action to ensure compliance. (See DEI Law Operations Manual under IV. Monitoring, Section B, Item 2c for a comprehensive list.)</li> </ul>	Y	Amy Browder, Director Employee Development	Reviewed hiring and employment documents and materials, to include rubrics and matrices, and identified prohibited language, requirements, practices and/or procedures took action to ensure compliance. (See DEI Law Operations Manual under IV. Monitoring, Section B, Item 2c for a comprehensive list.) SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<ul style="list-style-type: none"> <li>Reviewed performance evaluation tools and forms for promotions, merit increases, and equity adjustments, and all related procedures; identified prohibited language and/or requirements and took action to ensure compliance.</li> </ul>	Y	Amy Browder, Director Employee Development	Reviewed performance evaluation tools and metrics, documents and forms for promotions, merit increases, and equity adjustments, and all related procedures; identified prohibited language and/or requirements and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<ul style="list-style-type: none"> <li>Implemented a system of systemic evaluation and review to vet proposed positions, processes, and materials to ensure they meet compliance prior to publication.</li> </ul>	Y	Amy Browder, Director Employee Development	Implemented a system of systemic evaluation and review to vet proposed positions, processes, and materials to ensure they meet compliance prior to publication. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<p><b>Training Sessions and Materials:</b> Determine whether the member has complied with the elimination of required training sessions and materials that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</p>					
<ul style="list-style-type: none"> <li>Reviewed required training sessions for those identified as prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Amy Browder, Director Employee Development	Reviewed required training sessions for those identified as prohibited by DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<ul style="list-style-type: none"> <li>Reviewed all training sessions and materials for language and elements prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Amy Browder, Director Employee Development	Reviewed all training sessions and materials for language and elements prohibited by DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<ul style="list-style-type: none"> <li>Implemented procedures to review proposed training sessions and materials for compliance prior to activation.</li> </ul>	Y	Amy Browder, Director Employee Development	Implemented procedures to review proposed training sessions and materials for compliance prior to activation. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	

FACULTY AFFAIRS	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b><u>Procedures, Programs and Activities:</u></b> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.				
<ul style="list-style-type: none"> <li>Reviewed all faculty hiring and recruiting practices and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Aimee Shouse, Associate Provost and Associate Vice President	Reviewed all faculty hiring and recruiting practices and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed all procedures for tenure review, promotions, merit increases, and equity adjustments; identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Aimee Shouse, Associate Provost and Associate Vice President	Reviewed all procedures for tenure review, promotions, merit increases, and equity adjustments; identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed all faculty organizations supported by the university to evaluate their purpose, structure, and funding. Identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Aimee Shouse, Associate Provost and Associate Vice President	Reviewed all faculty organizations supported by the university to evaluate their purpose, structure, and funding. Identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed all grant proposals and accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Aimee Shouse, Associate Provost and Associate Vice President	Reviewed all grant proposals and accreditation certifications and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed all accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Aimee Shouse, Associate Provost and Associate Vice President	Reviewed all accreditation certifications and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed the provisions for all academic or professional opportunities extended to students, faculty, and visiting scholars to include institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Aimee Shouse, Associate Provost and Associate Vice President	Reviewed the provisions for all academic or professional opportunities extended to students, faculty, and visiting scholars to include institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24

<ul style="list-style-type: none"> <li>Reviewed all forms, documents, procedures, and practices related to the functions listed in this section and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Aimee Shouse, Associate Provost and Associate Vice President	Reviewed all forms, documents, procedures, and practices related to the functions listed in this section and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all functions listed in this section to include the vetting of proposed processes, practices, organizations, funding proposals, certifications and corresponding materials to ensure compliance.</li> </ul>	Y	Dr. Aimee Shouse, Associate Provost and Associate Vice President	Implemented procedures for the systemic evaluation and review of all functions listed in this section to include the vetting of proposed processes, practices, organizations, funding proposals, certifications and corresponding materials to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<p><b>STUDENT AFFAIRS</b></p>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (identify documented evidence used in the process)	<b>Date Verified</b>
<p><b><u>Procedures, Programs and Activities:</u> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</b></p>				
<ul style="list-style-type: none"> <li>Reviewed all departmental events including institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Diana Ortega-Feerick, Vice President for Student Engagement & Success	Reviewed all departmental events including institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed all staff work and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Diana Ortega-Feerick, Vice President for Student Engagement & Success	Reviewed all staff work and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed all student and staff training sessions and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Diana Ortega-Feerick, Vice President for Student Engagement & Success	Reviewed all student and staff training sessions and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24

<ul style="list-style-type: none"> <li>Reviewed all student success and outreach programs and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Dr. Diana Ortega-Feerick, Vice President for Student Engagement & Success	Reviewed all student success and outreach programs and identified those that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all trainings, programs, events, and activities to ensure compliance.</li> </ul>	Y	Dr. Diana Ortega-Feerick, Vice President for Student Engagement & Success	Implemented procedures for the systemic evaluation and review of all trainings, programs, events, and activities to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<b>SCHOLARSHIPS &amp; FINANCIAL AID</b>		<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(Identify documented evidence used in the process)</i>	<b>Date Verified</b>
<b>Scholarships &amp; Financial Aid:</b> Determine whether the member has discontinued the award of scholarships and financial aid that promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.					
<ul style="list-style-type: none"> <li>Reviewed all awards administered, promoted, and/or facilitated by the member for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Shawndi Wilson, Director for Office of Scholarships	Reviewed all awards administered, promoted, and/or facilitated by the member for violation of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<ul style="list-style-type: none"> <li>Reviewed all outlets announcing or promoting scholarships and financial aid, to include websites and social media pages, for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Shawndi Wilson, Director for Office of Scholarships	Reviewed all outlets announcing or promoting scholarships and financial aid, to include websites and social media pages, for violation of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<ul style="list-style-type: none"> <li>Reviewed all materials including but not limited to applications, informational documents, marketing materials, guidelines, and operating documents for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Shawndi Wilson, Director for Office of Scholarships	Reviewed all materials including but not limited to applications, informational documents, marketing materials, guidelines, and operating documents for violations of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	Y	Shawndi Wilson, Director for Office of Scholarships	Implemented procedures for the systemic review of all functions listed above to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24	

ATHLETICS	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b>Procedures, Programs and Activities:</b> <i>Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</i>				
<ul style="list-style-type: none"> <li>Reviewed procedures, programs, and activities for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Eric Heier, Senior Associate Athletic Director for Compliance	Reviewed procedures, programs, and activities for violations of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed required non-athletic training sessions (internal and external) for students and staff for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Eric Heier, Senior Associate Athletic Director for Compliance	Reviewed required non-athletic training sessions (internal and external) for students and staff for violations of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed all materials developed, produced, funded, and distributed through the department to include applications, marketing materials, guidelines, operating manuals, and any other publication provided by the department for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Eric Heier, Senior Associate Athletic Director for Compliance	Reviewed all materials developed, produced, funded, and distributed through the department to include applications, marketing materials, guidelines, operating manuals, and any other publication provided by the department for violations of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed all co-sponsored events with outside entities for violations of DEI Law and took action to ensure compliance.</li> </ul>	Y	Eric Heier, Senior Associate Athletic Director for Compliance	Reviewed all co-sponsored events with outside entities for violations of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	Y	Eric Heier, Senior Associate Athletic Director for Compliance	Implemented procedures for the systemic review of all functions listed above to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24

<b>WEBSITES &amp; SOCIAL MEDIA</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(identify documented evidence used in the process)</i>	<b>Date Verified</b>
<b><u>Website and Social Media Information:</u></b> Determine whether references to unallowable diversity, equity and inclusion activities on member websites and social media platforms have been identified and removed.				
<ul style="list-style-type: none"> <li>Reviewed member websites and social media platforms for content, links, static materials, and downloadable documents for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Nate Bural, Assistant Vice President for Marketing and Communications	Reviewed member websites and social media platforms for content, links, static materials, and downloadable documents for violation of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Reviewed affiliate websites and social media platforms for content and affiliation language in violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Nate Bural, Assistant Vice President for Marketing and Communications	Reviewed affiliate websites and social media platforms for content and affiliation language in violation of DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Implemented a systemic process of review of member websites, domains, and social media platforms to include keyword searches to identify references to DEI related terms that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Nate Bural, Assistant Vice President for Marketing and Communications	Implemented a systemic process of review of member websites, domains, and social media platforms to include keyword searches to identify references to DEI related terms that violate DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Implemented a vetting process by which proposed information to be posted to member websites, domains, social media platforms, or any Internet or network outlet will be evaluated to ensure compliance with DEI Law.</li> </ul>	Y	Nate Bural, Assistant Vice President for Marketing and Communications	Implemented a vetting process by which proposed information to be posted to member websites, domains, social media platforms, or any Internet or network outlet will be evaluated to ensure compliance with DEI Law. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24

<b>INTERNAL CONTROLS &amp; MONITORING</b>	<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (identify documented evidence used in the process)	<b>Date Verified</b>
<b>Internal Controls &amp; Monitoring:</b> Determine whether the member has removed prohibited diversity, equity, and inclusion related rules, developed and implemented operating procedures, and implemented internal controls according to DEI Law and A&M System Policy 08.01.				
<ul style="list-style-type: none"> <li>Reviewed and identified member rules and operating procedures in place that are not compliant with DEI Law and took action to ensure compliance.</li> </ul>	Y	Kent Styron, AVP for University Compliance	Reviewed and identified member rules and operating procedures in place that are not compliant with DEI Law and took action to ensure compliance. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Developed and implemented operating procedures to ensure continued compliance with DEI Law.</li> </ul>	Y	Kent Styron, AVP for University Compliance	Developed and implemented operating procedures to ensure continued compliance with DEI Law. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance	5/23/24
<ul style="list-style-type: none"> <li>Implemented internal controls including assignment of monitoring responsibilities, procedures for training, and processes for disseminating information to stakeholders to ensure compliance with DEI Law.</li> </ul>	Y	Kent Styron, AVP for University Compliance	Implemented internal controls including assignment of monitoring responsibilities, procedures for training, and processes for disseminating information to stakeholders to ensure compliance with DEI Law. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Developed a compliance response and reporting process to address issues of noncompliance with DEI Law.</li> </ul>	Y	Kent Styron, AVP for University Compliance	Developed a compliance response and reporting process to address issues of noncompliance with DEI Law. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24
<ul style="list-style-type: none"> <li>Identified procedures for disciplinary action/sanctioning for violations of DEI Law.</li> </ul>	Y	Kent Styron, AVP for University Compliance	Identified procedures for disciplinary action/sanctioning for violations of DEI Law. SIA performed audit 1/1/24 – 5/23/2024 documenting evidence for compliance.	5/23/24

**SUMMARY OF FINDINGS: (to be completed by SECO/OGC)**

\_\_\_\_\_ Meets compliance

\_\_\_\_\_ Meets compliance after implementing recommendations

\_\_\_\_\_ Factors preventing compliance as agency/institute of higher learning has not implemented recommendations on statutory/regulatory requirements

**SIGNATURES**

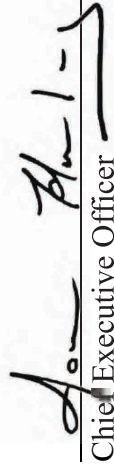


\_\_\_\_\_  
Compliance Officer

05/30/2024

\_\_\_\_\_  
Date

Approved by:

  
\_\_\_\_\_  
Chief Executive Officer

5/31/2024

\_\_\_\_\_  
Date



*Office of the President*  
Tarleton State University

## DEI Law Certification of Compliance

### CHIEF EXECUTIVE OFFICER ACKNOWLEDGEMENT

Member Institution/Agency: Tarleton State University

Chief Executive Officer: Dr. James Hurley

I certify, under penalty of perjury and the loss of funding to Tarleton State University, that Tarleton State University has complied with the requirements in Tex. Educ. Code § 51.3525:

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of:

- influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;
- promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
- promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

[ X ] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

[ X ] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

[ X ] I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).

[ X ] I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for 2025 have been spent prior to submission of this certification report to the Legislature and the Texas Higher Education Coordinating Board.

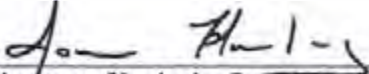
[ X ] I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

[ X ] I understand all complaints regarding any violations made by this institution will be sent to the State Auditor's Office for review.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year Tarleton State University has conducted the following:

- Conducted a review of all programs and activities, offices, personnel, and training sessions for potential violations of Tex. Educ. Code § 51.3525 and discontinued those found to be in violation.
- Updated *The Texas A&M University System Policy 08.01 Civil Rights Protection and Compliance* to reflect additions to Tex. Educ. Code § 51.3525 which was adopted by the Board of Regents in August 2023.
- Developed and implemented operating procedures in line with the updated System policy and The Texas A&M University System D.E.I. Compliance Operational Manual to facilitate on-going compliance with Tex. Educ. Code § 51.3525. See attached compliance checklist as supporting documentation.
- Participated in an audit review by The Texas A&M University System Department of Internal Audit with the objective of evaluating actions taken by the institution to ensure compliance with Tex. Educ. Code § 51.3525.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.

  
\_\_\_\_\_  
Signature of Institution President/CEO

05/31/2024  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Board Chair

8/16/24  
\_\_\_\_\_  
Date

UNIVERSITIES

- Texas A&M University
- Texas A&M University at Galveston
- Texas A&M Health Science Center
- Prairie View A&M University
- Texas A&M University-Commerce
- Tarleton State University
- West Texas A&M University
- Texas A&M University-Kingsville
- Texas A&M University-Corpus Christi
- Texas A&M International University
- Texas A&M University-Texarkana
- Texas A&M University-Central Texas
- Texas A&M University-San Antonio



AGENCIES

- Texas A&M AgriLife Research
- Texas A&M Engineering Experiment Station
- Texas A&M Forest Service
- Texas A&M AgriLife Extension Service
- Texas A&M Engineering Extension Service
- Texas A&M Transportation Institute
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Texas Division of Emergency Management

OTHER MEMBER INSTITUTIONS

- Texas A&M-RELLIS
- Texas A&M-Fort Worth

# Board of Regents

## THE TEXAS A&M UNIVERSITY SYSTEM

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Bill Mahomes, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

*William Mahomes*  
Signature

August 16, 2024  
Date

Please check one:

- President
- Board Chair



Office of the President  
TARLETON STATE UNIVERSITY

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, President, James Hurley, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

J - H - 1 - J  
Signature

8.20.24  
Date

Please check one:

- President  
 Board Chair

Institution: Texas A&M AgriLife Extension Services  
Date Submitted: 08/23/24  
Pages: 13



## System Ethics & Compliance Office

Annual D.E.I. Compliance

*ECO Review Checklist*

Member Agency/Institution:

AgriLife Extension

Ethics & Compliance Officer:

Brian Halfman

Chief Executive Officer:

Rick Avery

FINANCE & BUDGETING	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b>Budgets &amp; Accounting:</b> Determine whether the member has complied with the elimination of account and budget codes that fund diversity, equity, and inclusion initiatives in violation of DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified accounts and/or budget codes that fund DEI initiatives and taken action to ensure compliance.</li> </ul>	Y	Donna Alexander Asst. Director & CFO C.S.	Reviewed through business objects query.	5/24/24
<ul style="list-style-type: none"> <li>Eliminated accounts and/or budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources that violate DEI Law.</li> </ul>	Y	Donna Alexander Asst. Director & CFO C.S.	Reviewed. Actions taken as identified.	5/24/24
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review and vetting of current and proposed accounts and budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources to ensure compliance.</li> </ul>	Y	Donna Alexander Asst. Director & CFO C.S.	Review through business objects query.	5/24/24
<ul style="list-style-type: none"> <li>Implemented a record-retention process for reporting purposes.</li> </ul>	Y	Donna Alexander Asst. Director & CFO C.S.	AgriLife Extension Service will retain documents related to DEI Law compliance in accordance with the Texas A&M System retention schedule.	5/24/24

<b>HUMAN RESOURCES</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (Identify documented evidence used in the process)	<b>Date Verified</b>
<b>DEI Related Offices and Third-Party Contracts:</b> Determine whether the member has complied with the elimination of departments, divisions, and/or offices that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified offices, divisions, or other units that are responsible for diversity, equity, and inclusion initiatives and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	No DEI offices reside within Texas A&M AgriLife Research. This was determined in a Vice Chancellor's Executive Meeting based on the experience and knowledge of the agency director.	5/24/24
<ul style="list-style-type: none"> <li>Identified third-party vendors performing the duties of a diversity, equity, and inclusion office and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	The Executive director of AgriLife contracts searched all active non-sponsored agreements using the keyword search list. DEI related hits were reviewed by AgriLife Research leadership to determine if the content was appropriate. Presently all contracts are deemed allowable after review.	5/24/24
<b>Personnel:</b> Determine whether the member has complied with the restriction on hiring or assigning employees to perform the duties of diversity, equity, and inclusion.				
<ul style="list-style-type: none"> <li>Identified active personnel with responsibilities for performing diversity, equity, and inclusion functions and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	After reviewing titles by using reports in Workday there are no personnel in unallowable job titles.	5/24/24
<ul style="list-style-type: none"> <li>Identified unallowable personnel duties within active and inactive job descriptions and working templates for language that violates DEI Law and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	No changes in duties were necessary.	5/24/24
<ul style="list-style-type: none"> <li>Identified employee funding sources that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	No employee funding sources violate DEI Law.	5/24/24

**Hiring and Employment Practices and Procedures:** Determine whether member hiring and employment practices and procedures have been updated to exclude requirements for DEI statements and do not provide special benefit or promote preferential treatment on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution relating to this process.

<ul style="list-style-type: none"> <li>Reviewed hiring and employment documents and materials, to include rubrics and matrices, and identified prohibited language, requirements, practices and/or procedures took action to ensure compliance. (See DEI Law Operations Manual under IV. Monitoring, Section B, Item 2c for a comprehensive list.)</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	None of AgriLife's hiring practices and procedures are noncompliant with the DEI Law.	5/24/24
<ul style="list-style-type: none"> <li>Reviewed performance evaluation tools and metrics, documents and forms for promotions, merit increases, and equity adjustments, and all related procedures; identified prohibited language and/or requirements and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	Tools and procedures have been reviewed to ensure compliance with the DEI Law, there were no findings.	5/24/24
<ul style="list-style-type: none"> <li>Implemented a system of systemic evaluation and review to vet proposed positions, processes, and materials to ensure they meet compliance prior to publication.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	All staff positions will route to human resources to review for DEI compliance prior to recruitment. Faculty positions will be reviewed semi-annually by human resources by performing key word searches.	5/24/24

**Training Sessions and Materials:** Determine whether the member has complied with the elimination of required training sessions and materials that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.

<ul style="list-style-type: none"> <li>Reviewed required training sessions for those identified as prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	No training sessions were determined to be prohibited by DEI Law.	5/24/24
<ul style="list-style-type: none"> <li>Reviewed all training sessions and materials for language and elements prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	We reviewed TrainTraq course materials along with other training PowerPoints and removed language to ensure compliance with the DEI Law.	5/24/24

<ul style="list-style-type: none"> <li>Implemented procedures to review proposed training sessions and materials for compliance prior to activation.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	According to our new procedure reviews will take place for compliance with the DEI Law prior to activation of new trainings by the appropriate leader. Specifically, AgriLife Aspire courses will be reviewed for compliance prior to activation by the Vice Chancellor for Educational Development and Engagement.	5/24/24
<p><b>WEBSITES &amp; SOCIAL MEDIA</b></p> <p><b>Website and Social Media Information:</b> Determine whether references to unallowable diversity, equity and inclusion activities on member websites and social media platforms have been identified and removed.</p>				
<ul style="list-style-type: none"> <li>Reviewed member websites and social media platforms for content, links, static materials, and downloadable documents for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Katherine Hancock Asst. Vice Chancellor C.S.	Please see the attached document, "TEXAS A&M AGRILIFE SB17 INTERNAL CONTROLS AND COMPLIANCE PROGRAM"	5/24/24
<ul style="list-style-type: none"> <li>Reviewed affiliate websites and social media platforms for content and affiliation language in violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Katherine Hancock Asst. Vice Chancellor C.S.	Please see the attached document, "TEXAS A&M AGRILIFE SB17 INTERNAL CONTROLS AND COMPLIANCE PROGRAM" under the section for Tier III and IV websites.	5/24/24
<ul style="list-style-type: none"> <li>Implemented a systemic process of review of member websites, domains, and social media platforms to include keyword searches to identify references to DEI related terms that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Katherine Hancock Asst. Vice Chancellor C.S.	Please see the attached document, "TEXAS A&M AGRILIFE SB17 INTERNAL CONTROLS AND COMPLIANCE PROGRAM"	5/24/24
<ul style="list-style-type: none"> <li>Implemented a vetting process by which proposed information to be posted to member websites, domains, social media platforms, or any Internet or network outlet will be evaluated to ensure compliance with DEI Law.</li> </ul>	Y	Katherine Hancock Asst. Vice Chancellor C.S.	All our proposed information goes through several edits, and all our editors have been made aware to look for SB-17-related issues. We have also created a group chat for SB-17 issues.	5/24/24

<b>INTERNAL CONTROLS &amp; MONITORING</b>	<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(identify documented evidence used in the process)</i>	<b>Date Verified</b>
<b>Internal Controls &amp; Monitoring:</b> Determine whether the member has removed prohibited diversity, equity, and inclusion related rules, developed and implemented operating procedures, and implemented internal controls according to DEI Law and A&M System Policy 08.01.				
<ul style="list-style-type: none"> <li>Reviewed and identified member rules and operating procedures in place that are not compliant with DEI Law and took action to ensure compliance.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	AgriLife rules and procedures were reviewed and are in compliance.	5/24/24
<ul style="list-style-type: none"> <li>Developed and implemented operating procedures to ensure continued compliance with DEI Law.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	An AgriLife draft procedure has been created. A final version will be approved following the adoption of the System policy and regulation.	5/24/24
<ul style="list-style-type: none"> <li>Implemented internal controls including assignment of monitoring responsibilities, procedures for training, and processes for disseminating information to stakeholders to ensure compliance with DEI Law.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	SME's have been identified and have created desk manuals to supplement the procedure for implementation of the monitoring activities.	5/24/24
<ul style="list-style-type: none"> <li>Developed a compliance response and reporting process to address issues of noncompliance with DEI Law.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	Potential DEI Law violations are reported through the ECO for determination. A centralized file folder system has been established to store monitoring reports and documentation related to potential violations and mitigation.	5/24/24
<ul style="list-style-type: none"> <li>Identified procedures for disciplinary action/sanctioning for violations of DEI Law.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	Procedures for disciplinary action related to violations have been established in the AgriLife DEI procedure.	5/24/24

**SUMMARY OF FINDINGS: (to be completed by SECO/OGC)**

X Meets compliance

Meets compliance after implementing recommendations

Factors preventing compliance as agency/institute of higher learning has not implemented recommendations on statutory/regulatory requirements

**SIGNATURES**

*Brian Hoffman*

Compliance Officer

May 31, 2024

Date

Approved by:

*Rick Avery*

Rick Avery (Jun 3, 2024 08:25 CDT)

Chief Executive Officer

Jun 3, 2024

Date









# Update > DEI Compliance ECO Review Checklist | AgriLife Extension

Final Audit Report

2024-06-03

Created:	2024-05-31
By:	Stephanie Payton (stephanie.payton@ag.tamu.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAAmEPd654EzE5mcYZrY5jEuAgFqHEoZZw-

## "Update > DEI Compliance ECO Review Checklist | AgriLife Extension" History

-  Document created by Stephanie Payton (stephanie.payton@ag.tamu.edu)  
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-  Document emailed to Brian Halfman (brian.halfman@ag.tamu.edu) for signature  
2024-05-31 - 4:56:02 PM GMT
-  Email viewed by Brian Halfman (brian.halfman@ag.tamu.edu)  
2024-05-31 - 4:56:22 PM GMT- IP address: 104.47.55.126
-  Document e-signed by Brian Halfman (brian.halfman@ag.tamu.edu)  
Signature Date: 2024-05-31 - 4:56:38 PM GMT - Time Source: server- IP address: 128.194.2.155
-  Document emailed to Rick Avery (rick.avery@ag.tamu.edu) for signature  
2024-05-31 - 4:56:39 PM GMT
-  Email viewed by Rick Avery (rick.avery@ag.tamu.edu)  
2024-06-03 - 1:24:50 PM GMT- IP address: 104.47.55.126
-  Document e-signed by Rick Avery (rick.avery@ag.tamu.edu)  
Signature Date: 2024-06-03 - 1:25:15 PM GMT - Time Source: server- IP address: 128.194.2.183
-  Agreement completed.  
2024-06-03 - 1:25:15 PM GMT

## DEI Law Certification of Compliance

### CHIEF EXECUTIVE OFFICER ACKNOWLEDGEMENT

Member Institution/Agency: Texas A&M AgriLife Extension Services  
Chief Executive Officer: Rick Avery, PhD

I certify, under penalty of perjury and the loss of funding to Texas A&M AgriLife Extension Services, that Texas A&M AgriLife Extension Services has complied with the requirements in Tex. Educ. Code § 51.3525:

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of:

- influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;
- promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
- promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution’s general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution’s general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and

Texas A&M AgriLife Extension Service  
600 John Kimbrough Blvd., Ste. 509 | 7101 TAMU | College Station, Texas 77843-7101

Tel. 979.314.8202 | [rick.avery@ag.tamu.edu](mailto:rick.avery@ag.tamu.edu) | [AgriLifeExtension.tamu.edu](http://AgriLifeExtension.tamu.edu)

inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).

I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for fiscal year 2024-25 have been spent prior to submission of this certification report to the Legislature and the Texas Higher Education Coordinating Board.

I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

I understand all complaints regarding any violations made by this institution will be sent to the State Auditor's Office for review.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year Texas A&M AgriLife Extension Services has conducted the following:

- Conducted a review of all programs and activities, offices, personnel, and training sessions for potential violations of Tex. Educ. Code § 51.3525 and discontinued those found to be in violation.
- Updated *The Texas A&M University System Policy 08.01 Civil Rights Protection and Compliance* to reflect additions to Tex. Educ. Code § 51.3525 which was adopted by the Board of Regents in August 2023.
- Developed and implemented operating procedures in line with the updated System policy and The Texas A&M University System D.E.I. Compliance Operational Manual to facilitate on-going compliance with Tex. Educ. Code § 51.3525. See attached compliance checklist as supporting documentation.

- Participated in an audit review by The Texas A&M University System Department of Internal Audit with the objective of evaluating actions taken by the institution to ensure compliance with Tex. Educ. Code § 51.3525.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.

Rick Avery

Rick Avery Jun 3 2024 10:29 EDT

Signature of Institution President/CEO

Jun 3, 2024

Date

William Mahmood

Signature of Board Chair

8/16/24

Date

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Rick Avery \_\_\_\_\_, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

Rick Avery  
Rick Avery (Aug 15, 2024 17:24 CDT)

\_\_\_\_\_  
Signature

8/15/24

\_\_\_\_\_  
Date

Please check one:

- President / Director
- Board Chair






# electronicsign\_consentform (002)

Final Audit Report

2024-08-15

Created:	2024-08-15
By:	Brian Halfman (brian.halfman@ag.tamu.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOP6PcyFQnaao4c4xy56-C9tMglfd72Ui

## "electronicsign\_consentform (002)" History

-  Document created by Brian Halfman (brian.halfman@ag.tamu.edu)  
2024-08-15 - 2:31:12 PM GMT- IP address: 128.194.2.181
-  Document emailed to Rick Avery (rick.avery@ag.tamu.edu) for signature  
2024-08-15 - 2:31:16 PM GMT
-  Email viewed by Rick Avery (rick.avery@ag.tamu.edu)  
2024-08-15 - 10:23:46 PM GMT- IP address: 104.47.58.126
-  Document e-signed by Rick Avery (rick.avery@ag.tamu.edu)  
Signature Date: 2024-08-15 - 10:24:42 PM GMT - Time Source: server- IP address: 128.194.2.207
-  Agreement completed.  
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UNIVERSITIES

- Texas A&M University
- Texas A&M University at Galveston
- Texas A&M Health Science Center
- Prairie View A&M University
- Texas A&M University-Commerce
- Tarleton State University
- West Texas A&M University
- Texas A&M University-Kingsville
- Texas A&M University-Corpus Christi
- Texas A&M International University
- Texas A&M University-Texarkana
- Texas A&M University-Central Texas
- Texas A&M University-San Antonio



AGENCIES

- Texas A&M AgriLife Research
- Texas A&M Engineering Experiment Station
- Texas A&M Forest Service
- Texas A&M AgriLife Extension Service
- Texas A&M Engineering Extension Service
- Texas A&M Transportation Institute
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Texas Division of Emergency Management

OTHER MEMBER INSTITUTIONS

- Texas A&M-RELLIS
- Texas A&M-Fort Worth

# Board of Regents

## THE TEXAS A&M UNIVERSITY SYSTEM

### ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM

I, Bill Mahomes, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

*William Mahomes*  
Signature

August 16, 2024  
Date

Please check one:

- President
- Board Chair

Institution: Texas A&M AgriLife Research  
Date Submitted: 08/23/24  
Pages: 12

## DEI Law Certification of Compliance

### CHIEF EXECUTIVE OFFICER ACKNOWLEDGEMENT

Member Institution/Agency: Texas A&M AgriLife Research  
Chief Executive Officer: Cliff Lamb, PhD

I certify, under penalty of perjury and the loss of funding to Texas A&M AgriLife Research, that Texas A&M AgriLife Research has complied with the requirements in Tex. Educ. Code § 51.3525:

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of:

- influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;
- promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
- promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and

inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).

I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for fiscal year 2024-25 have been spent prior to submission of this certification report to the Legislature and the Texas Higher Education Coordinating Board.

I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

I understand all complaints regarding any violations made by this institution will be sent to the State Auditor's Office for review.

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- Conducted a review of all programs and activities, offices, personnel, and training sessions for potential violations of Tex. Educ. Code § 51.3525 and discontinued those found to be in violation.
- Updated *The Texas A&M University System Policy 08.01 Civil Rights Protection and Compliance* to reflect additions to Tex. Educ. Code § 51.3525 which was adopted by the Board of Regents in August 2023.
- Developed and implemented operating procedures in line with the updated System policy and The Texas A&M University System D.E.I. Compliance Operational Manual to facilitate on-going compliance with Tex. Educ. Code § 51.3525. See attached compliance checklist as supporting documentation.
- Participated in an audit review by The Texas A&M University System Department of Internal Audit with the objective of evaluating actions taken by the institution to ensure compliance with Tex. Educ. Code § 51.3525.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.



\_\_\_\_\_  
Signature of Institution President/CEO

May 31, 2024


\_\_\_\_\_  
Date



\_\_\_\_\_  
Signature of Board Chair

8/16/24

\_\_\_\_\_  
Date

Signature: 

Email: [researchdirector@ag.tamu.edu](mailto:researchdirector@ag.tamu.edu)



## System Ethics & Compliance Office

Annual D.E.I. Compliance

*ECO Review Checklist*

Member Agency/Institution:

Ethics & Compliance Officer:

Chief Executive Officer:

AgriLife Research

Brian Halfman

Cliff Lamb

FINANCE & BUDGETING	Meets Compliance? Y/N/NA	Employee Responsible <i>(include title and location)</i>	Summary of Action Taken <i>(identify documented evidence used in the process)</i>	Date Verified
<p><b><u>Budgets &amp; Accounting:</u></b> <i>Determine whether the member has complied with the elimination of account and budget codes that fund diversity, equity, and inclusion initiatives in violation of DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</i></p>				
<ul style="list-style-type: none"> <li>Identified accounts and/or budget codes that fund DEI initiatives and taken action to ensure compliance.</li> </ul>	Y	Debra Cummings Asst. Director & CFO C.S.	Created a business objects report to check Account Descriptions, Support Account Descriptions, Support Account Long Account Descriptions, Project Long Title and Project Short Title using key terms.	5/24/24
<ul style="list-style-type: none"> <li>Eliminated accounts and/or budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources that violate DEI Law.</li> </ul>	Y	Debra Cummings Asst. Director & CFO C.S.	Reviewed the report and the only results were sponsored project accounts using terms in reference to science.	5/24/24
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review and vetting of current and proposed accounts and budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources to ensure compliance.</li> </ul>	Y	Debra Cummings Asst. Director & CFO C.S.	Run Business Objects report monthly to catch new accounts set up.	5/24/24
<ul style="list-style-type: none"> <li>Implemented a record-retention process for reporting purposes.</li> </ul>	Y	Debra Cummings Asst. Director & CFO C.S.	Monthly reports saved and retained based on guidance from System retention schedule.	5/24/24

<b>HUMAN RESOURCES</b>	<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (Identify documented evidence used in the process)	<b>Date Verified</b>
<b>DEI Related Offices and Third-Party Contracts:</b> Determine whether the member has complied with the elimination of departments, divisions, and/or offices that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified offices, divisions, or other units that are responsible for diversity, equity, and inclusion initiatives and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	No DEI offices reside within Texas A&M AgriLife Research. This was determined in a Vice Chancellor's Executive Meeting based on the experience and knowledge of the agency director.	5/24/24
<ul style="list-style-type: none"> <li>Identified third-party vendors performing the duties of a diversity, equity, and inclusion office and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	The Executive director of AgriLife contracts searched all active non-sponsored agreements using the keyword search list. DEI related hits were reviewed by AgriLife Research leadership to determine if the content was appropriate. Presently all contracts are deemed allowable after review.	5/24/24
<b>Personnel:</b> Determine whether the member has complied with the restriction on hiring or assigning employees to perform the duties of diversity, equity, and inclusion.				
<ul style="list-style-type: none"> <li>Identified active personnel with responsibilities for performing diversity, equity, and inclusion functions and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	After reviewing titles by using reports in Workday there are no personnel in unallowable job titles.	5/24/24
<ul style="list-style-type: none"> <li>Identified unallowable personnel duties within active and inactive job descriptions and working templates for language that violates DEI Law and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	No changes in duties were necessary.	5/24/24
<ul style="list-style-type: none"> <li>Identified employee funding sources that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	No employee funding sources violate DEI Law.	5/24/24

**Hiring and Employment Practices and Procedures:** Determine whether member hiring and employment practices and procedures have been updated to exclude requirements for DEI statements and do not provide special benefit or promote preferential treatment on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution relating to this process.

<ul style="list-style-type: none"> <li>Reviewed hiring and employment documents and materials, to include rubrics and matrices, and identified prohibited language, requirements, practices and/or procedures took action to ensure compliance. (See DEI Law Operations Manual under IV. Monitoring, Section B, Item 2c for a comprehensive list.)</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	None of AgriLife's hiring practices and procedures are noncompliant with the DEI Law.	5/24/24
<ul style="list-style-type: none"> <li>Reviewed performance evaluation tools and metrics, documents and forms for promotions, merit increases, and equity adjustments, and all related procedures; identified prohibited language and/or requirements and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	Tools and procedures have been reviewed to ensure compliance with the DEI Law, there were no findings.	5/24/24
<ul style="list-style-type: none"> <li>Implemented a system of systemic evaluation and review to vet proposed positions, processes, and materials to ensure they meet compliance prior to publication.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	All staff positions will route to human resources to review for DEI compliance prior to recruitment. Faculty positions will be reviewed semi-annually by human resources by performing key word searches.	5/24/24

**Training Sessions and Materials:** Determine whether the member has complied with the elimination of required training sessions and materials that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.

<ul style="list-style-type: none"> <li>Reviewed required training sessions for those identified as prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	No training sessions were determined to be prohibited by DEI Law.	5/24/24
<ul style="list-style-type: none"> <li>Reviewed all training sessions and materials for language and elements prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	We reviewed TrainTraq course materials along with other training PowerPoints and removed language to ensure compliance with the DEI Law.	5/24/24

<ul style="list-style-type: none"> <li>Implemented procedures to review proposed training sessions and materials for compliance prior to activation.</li> </ul>	Y	Elizabeth Schwartz Chief Human Resources Officer C.S.	According to our new procedure reviews will take place for compliance with the DEI Law prior to activation of new trainings by the appropriate leader. Specifically, AgriLife Aspire courses will be reviewed for compliance prior to activation by the Vice Chancellor for Educational Development and Engagement.	5/24/24
<b>WEBSITES &amp; SOCIAL MEDIA</b>	<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (identify documented evidence used in the process)	<b>Date Verified</b>
<b>Website and Social Media Information:</b> Determine whether references to unallowable diversity, equity and inclusion activities on member websites and social media platforms have been identified and removed.				
<ul style="list-style-type: none"> <li>Reviewed member websites and social media platforms for content, links, static materials, and downloadable documents for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Katherine Hancock Asst. Vice Chancellor C.S.	Please see the attached document, "TEXAS A&M AGRILIFE SB17 INTERNAL CONTROLS AND COMPLIANCE PROGRAM"	5/24/24
<ul style="list-style-type: none"> <li>Reviewed affiliate websites and social media platforms for content and affiliation language in violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Katherine Hancock Asst. Vice Chancellor C.S.	Please see the attached document, "TEXAS A&M AGRILIFE SB17 INTERNAL CONTROLS AND COMPLIANCE PROGRAM" under the section for Tier III and IV websites.	5/24/24
<ul style="list-style-type: none"> <li>Implemented a systemic process of review of member websites, domains, and social media platforms to include keyword searches to identify references to DEI related terms that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Katherine Hancock Asst. Vice Chancellor C.S.	Please see the attached document, "TEXAS A&M AGRILIFE SB17 INTERNAL CONTROLS AND COMPLIANCE PROGRAM"	5/24/24
<ul style="list-style-type: none"> <li>Implemented a vetting process by which proposed information to be posted to member websites, domains, social media platforms, or any Internet or network outlet will be evaluated to ensure compliance with DEI Law.</li> </ul>	Y	Katherine Hancock Asst. Vice Chancellor C.S.	All our proposed information goes through several edits, and all our editors have been made aware to look for SB-17-related issues. We have also created a group chat for SB-17 issues.	5/24/24

<b>INTERNAL CONTROLS &amp; MONITORING</b>	<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (identify documented evidence used in the process)	<b>Date Verified</b>
<b>Internal Controls &amp; Monitoring:</b> Determine whether the member has removed prohibited diversity, equity, and inclusion related rules, developed and implemented operating procedures, and implemented internal controls according to DEI Law and A&M System Policy 08.01.				
<ul style="list-style-type: none"> <li>Reviewed and identified member rules and operating procedures in place that are not compliant with DEI Law and took action to ensure compliance.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	AgriLife rules and procedures were reviewed and are in compliance.	5/24/24
<ul style="list-style-type: none"> <li>Developed and implemented operating procedures to ensure continued compliance with DEI Law.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	An AgriLife draft procedure has been created. A final version will be approved following the adoption of the System policy and regulation.	5/24/24
<ul style="list-style-type: none"> <li>Implemented internal controls including assignment of monitoring responsibilities, procedures for training, and processes for disseminating information to stakeholders to ensure compliance with DEI Law.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	SME's have been identified and have created desk manuals to supplement the procedure for implementation of the monitoring activities.	5/24/24
<ul style="list-style-type: none"> <li>Developed a compliance response and reporting process to address issues of noncompliance with DEI Law.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	Potential DEI Law violations are reported through the ECO for determination. A centralized file folder system has been established to store monitoring reports and documentation related to potential violations and mitigation.	5/24/24
<ul style="list-style-type: none"> <li>Identified procedures for disciplinary action/sanctioning for violations of DEI Law.</li> </ul>	Y	Brian Halfman Director, Ethics & Compliance C.S.	Procedures for disciplinary action related to violations have been established in the AgriLife DEI procedure.	5/24/24

**SUMMARY OF FINDINGS: (to be completed by SECO/OGC)**

X   Meets compliance

\_\_\_\_\_ Meets compliance after implementing recommendations

\_\_\_\_\_ Factors preventing compliance as agency/institute of higher learning has not implemented recommendations on statutory/regulatory requirements

**SIGNATURES**

*Brian Halfman*

\_\_\_\_\_ Compliance Officer

May 31, 2024

\_\_\_\_\_ Date

Approved by:



\_\_\_\_\_ Chief Executive Officer

May 31, 2024

\_\_\_\_\_ Date

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Cliff Lamb \_\_\_\_\_, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.



\_\_\_\_\_  
Signature

Aug 16, 2024

\_\_\_\_\_  
Date

Please check one:

- President / Director
- Board Chair






# electronicsign\_consentform (003)

Final Audit Report

2024-08-16

Created:	2024-08-16
By:	Brian Halfman (brian.halfman@ag.tamu.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAABOKF0V7LIArWBB1QBHnuIYc-IpHtYwT0

## "electronicsign\_consentform (003)" History

-  Document created by Brian Halfman (brian.halfman@ag.tamu.edu)  
2024-08-16 - 4:54:29 PM GMT- IP address: 128.194.2.181
-  Document emailed to Cliff Lamb (cliff.lamb@ag.tamu.edu) for signature  
2024-08-16 - 4:54:34 PM GMT
-  Email viewed by Cliff Lamb (cliff.lamb@ag.tamu.edu)  
2024-08-16 - 5:10:36 PM GMT- IP address: 104.47.55.126
-  Document e-signed by Cliff Lamb (cliff.lamb@ag.tamu.edu)  
Signature Date: 2024-08-16 - 5:10:47 PM GMT - Time Source: server- IP address: 47.219.189.239
-  Agreement completed.  
2024-08-16 - 5:10:47 PM GMT

UNIVERSITIES

- Texas A&M University
- Texas A&M University at Galveston
- Texas A&M Health Science Center
- Prairie View A&M University
- Texas A&M University-Commerce
- Tarleton State University
- West Texas A&M University
- Texas A&M University-Kingsville
- Texas A&M University-Corpus Christi
- Texas A&M International University
- Texas A&M University-Texarkana
- Texas A&M University-Central Texas
- Texas A&M University-San Antonio



AGENCIES

- Texas A&M AgriLife Research
- Texas A&M Engineering Experiment Station
- Texas A&M Forest Service
- Texas A&M AgriLife Extension Service
- Texas A&M Engineering Extension Service
- Texas A&M Transportation Institute
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Texas Division of Emergency Management

OTHER MEMBER INSTITUTIONS

- Texas A&M-RELLIS
- Texas A&M-Fort Worth

# Board of Regents

## THE TEXAS A&M UNIVERSITY SYSTEM

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Bill Mahomes, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

*William Mahomes*  
Signature

August 16, 2024  
Date

Please check one:

- President
- Board Chair

**Institution:** Texas A&M Engineering Experiment  
Station (TEES)  
**Date Submitted:** 08/23/24  
**Pages:** 16



## System Ethics & Compliance Office

Annual D.E.I. Compliance

*ECO Review Checklist*

Member Agency/Institution: TEES

Ethics & Compliance Officer: Deidra White

Chief Executive Officer: Robert H. Bishop

FINANCE & BUDGETING	Meets Compliance? Y/N/NA	Employee Responsible <i>(include title and location)</i>	Summary of Action Taken <i>(identify documented evidence used in the process)</i>	Date Verified
<b>Budgets &amp; Accounting:</b> Determine whether the member has complied with the elimination of account and budget codes that fund diversity, equity, and inclusion initiatives in violation of DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified accounts and/or budget codes that fund DEI initiatives and taken action to ensure compliance.</li> </ul>	Y	Jane Zhou, Assistant Chief Financial Officer	Identified accounts and/or budget codes that fund DEI initiatives by using key search words in FAMIS/Canopy and by having discussions with key individuals within the COE/TEES collectively identified offices and areas at risk for noncompliance.  FAMIS accounts identified were closed or retitled to more appropriately Project Teams considering the current use of funds.	5/2/2024
<ul style="list-style-type: none"> <li>Eliminated accounts and/or budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources that violate DEI Law.</li> </ul>	Y	Jane Zhou, Assistant Chief Financial Officer	Based on this result, 5 funding source accounts were identified, and action was taken to close the account or move to an appropriate account, as necessary.	5/2/2024
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review and vetting of current and proposed accounts and budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources to ensure compliance.</li> </ul>	Y	Jane Zhou, Assistant Chief Financial Officer	A quarterly query will be run automatically in Business Objects to capture the key words included in the account titles or descriptions. The report will be automatically sent to the Assistant Director at TEES Fiscal Office for review and necessary corrective actions.  Also, part of the process for any new accounts and budget codes that are created/modified, fiscal approval will be required to ensure compliance with the law.  Monitoring has been effective and internal controls in accordance with the area are operating as intended.	5/7/2024

<ul style="list-style-type: none"> <li>Implemented a record-retention process for reporting purposes.</li> </ul>	Y	Jane Zhou, Assistant Chief Financial Officer	<p>The record retention process is followed according to the following:</p> <ul style="list-style-type: none"> <li>Regulation 61.99.01, Retention of State Records</li> <li>TEES Rule 61.99.01.E0.01, Records Management</li> </ul> <p>Monitoring has been effective and internal controls in accordance with the area are operating as intended.</p>	5/9/2024
<p><b>HUMAN RESOURCES</b></p>	Meets Compliance? Y/N/NA	<p><b>Employee Responsible</b> (include title and location)</p>	<p><b>Summary of Action Taken</b> (identify documented evidence used in the process)</p>	<p><b>Date Verified</b></p>
<p><b>DEI Related Offices and Third-Party Contracts:</b> Determine whether the member has complied with the elimination of departments, divisions, and/or offices that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</p>				
<ul style="list-style-type: none"> <li>Identified offices, divisions, or other units that are responsible for diversity, equity, and inclusion initiatives and took action to ensure compliance.</li> </ul>	Y	Nicole Pottberg, Engineering Human Resources and Payroll Executive Director	<p>Individuals within the COE/TEES collectively identified offices and areas at risk for noncompliance.</p> <p>Two offices identified as responsible for DEI initiatives were closed and personnel reassigned. Other programs considered noncompliant that Engineering participated in but were administered by TAMU have been terminated and/or dissolved.</p>	5/15/24
<ul style="list-style-type: none"> <li>Identified third-party vendors performing the duties of a diversity, equity, and inclusion office and took action to ensure compliance.</li> </ul>	Y	Nicole Pottberg, Engineering Human Resources and Payroll Executive Director	<p>Checked associated accounts and business records for third-party contracts and did not find any. Also checked with former directors of former programs and they confirmed there were no third-party contracts performing DEI duties.</p>	5/15/24
<p><b>Personnel:</b> Determine whether the member has complied with the restriction on hiring or assigning employees to perform the duties of diversity, equity, and inclusion.</p>				
<ul style="list-style-type: none"> <li>Identified active personnel with responsibilities for performing diversity, equity, and inclusion functions and took action to ensure compliance.</li> </ul>	Y	Nicole Pottberg, Engineering Human Resources and Payroll Executive Director	<p>Workday query was run for TEES and the College of Engineering (E Company) key words.</p> <p>Position descriptions (PD) are monitored as they are updated during annual performance reviews or reclassifications. A report will be run annually in June to confirm all PDs are compliant.</p> <p>Monitoring has been effective and internal controls in accordance with the area are operating as intended.</p>	5/15/24
<ul style="list-style-type: none"> <li>Identified unallowable personnel duties within active and inactive job descriptions and working templates for language that violates</li> </ul>	Y	Nicole Pottberg, Engineering Human Resources and Payroll Executive Director	<p>Based on the search, a thorough review and modification of position descriptions were conducted across Staff, Faculty, and Student roles to align with DEI Law.</p>	5/15/24

<p>DEI Law and took action to ensure compliance.</p>		<p>Staff: Identified and removed specific language from various PDs, including additional edits based on SIAD test work.</p> <p>Faculty: All Faculty PDs were removed to avoid conflicts, as Engineering handles hiring but does not create the PD. Additional PDs identified during SIAD test work were also removed.</p> <p>Students: A large number of student PDs with identical wording were identified and removed to account for the unique nature of different student roles. This change was implemented in Workday and confirmed by Workday Services.</p> <p>Additionally, confirmation was received from A&amp;M System HR that references to DEI have been removed from the System Wide Pay Plan titles and descriptions.</p>	
<ul style="list-style-type: none"> <li>Identified employee funding sources that violate DEI Law and took action to ensure compliance.</li> </ul>	<p>Y</p>	<p>Nicole Pottberg, Engineering Human Resources and Payroll Executive Director</p>	<p>5/15/24</p>
<p><b><u>Hiring and Employment Practices and Procedures:</u></b> <i>Determine whether member hiring and employment practices and procedures have been updated to exclude requirements for DEI statements and do not provide special preferential treatment on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution relating to this process.</i></p>			
<ul style="list-style-type: none"> <li>Reviewed hiring and employment documents and materials, to include rubrics and matrices, and identified prohibited language, requirements, practices and/or procedures took action to ensure compliance. (See DEI Law Operations Manual under IV. Monitoring, Section B, Item 2c for a comprehensive list.)</li> </ul>	<p>Y</p>	<p>System Internal Audit performed test work on hiring packet that includes applications, interview notes, candidate ranking, offer letters, etc. No instances of noncompliance were found.</p> <p>Workday is utilized for recruiting and hiring of staff; this includes the application. The templates within Workday are managed by the A&amp;M System.</p> <p>A review of internal documents, such as reference checks and interview question template, was conducted. These documents did not contain language that would be deemed noncompliant.</p> <p>Guidance was received 8/2023 from A&amp;M System HR and OGC to replace EEO statement(s).</p> <p>Job postings in Workday were automatically updated with the appropriate language.</p>	<p>5/15/24</p>

<ul style="list-style-type: none"> <li>Reviewed performance evaluation tools and metrics, documents and forms for promotions, merit increases, and equity adjustments, and all related procedures; identified prohibited language and/or requirements and took action to ensure compliance.</li> <li>Implemented a system of systemic evaluation and review to vet proposed positions, processes, and materials to ensure they meet compliance prior to publication.</li> </ul>	Y	Nicole Pottberg, Engineering Human Resources and Payroll Executive Director	System Internal Audit performed test work on evaluations, merit, promotions, etc. No instances of noncompliance were found.  Available merit pool is determined through a budget review and coordinated by the TEES and COE budget team. Merit pool criteria is based on evaluation ratings and completion of mandated training.  Every new staff position or reclassified position is reviewed through HR & Payroll and compliance with DEI Law. Only staff PDs are maintained in Workday. Faculty or student PDs are not maintained in Workday.	5/15/24
<p><b><u>Training Sessions and Materials:</u></b> Determine whether the member has complied with the elimination of required training sessions and materials that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</p>				
<ul style="list-style-type: none"> <li>Reviewed required training sessions for those identified as prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Nicole Pottberg, Engineering Human Resources and Payroll Executive Director	Engineering HR surveyed existing required training and determined only two A&M System mandated training - Creating a Discrimination Free Workplace and Ethics. No other formal training is required of employees other than TrainTraq.	5/15/24
<ul style="list-style-type: none"> <li>Reviewed all training sessions and materials for language and elements prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	Nicole Pottberg, Engineering Human Resources and Payroll Executive Director	A&M System employees are required to complete above training within 30 days of hire and every two years thereafter. Both trainings, are provided and maintained by the A&M System.	5/15/24
<ul style="list-style-type: none"> <li>Implemented procedures to review proposed training sessions and materials for compliance prior to activation.</li> </ul>	Y	Nicole Pottberg, Engineering Human Resources and Payroll Executive Director	As new trainings are developed for placement in TrainTraq, HR & Payroll will review for compliance with DEI Law. Any trainings developed and delivered by HR & Payroll will include review for compliance.	5/15/24
<p><b>FACULTY AFFAIRS</b></p>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (Identify documented evidence used in the process)	<b>Date Verified</b>
<p><b><u>Procedures, Programs and Activities:</u></b> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</p>				
<ul style="list-style-type: none"> <li>Reviewed all faculty hiring and recruiting practices and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A

<ul style="list-style-type: none"> <li>Reviewed all procedures for tenure review, promotions, merit increases, and equity adjustments; identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all faculty organizations supported by the university to evaluate their purpose, structure, and funding. Identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all grant proposals and accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed the provisions for all academic or professional opportunities extended to students, faculty, and visiting scholars to include institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all forms, documents, procedures, and practices related to the functions listed in this section and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all functions listed in this section to include the vetting of proposed processes, practices, organizations, funding proposals, certifications and corresponding materials to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A

STUDENT AFFAIRS	Meets Compliance? Y/N/N/A	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b>Procedures, Programs and Activities:</b> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.				
<ul style="list-style-type: none"> <li>Reviewed all departmental events including institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all staff work and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all student and staff training sessions and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all student success and outreach programs and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all trainings, programs, events, and activities to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A
SCHOLARSHIPS & FINANCIAL AID	Meets Compliance? Y/N/N/A	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b>Scholarships &amp; Financial Aid:</b> Determine whether the member has discontinued the award of scholarships and financial aid that promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.				

<ul style="list-style-type: none"> <li>Reviewed all awards administered, promoted, and/or facilitated by the member for violation of DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all outlets announcing or promoting scholarships and financial aid, to include websites and social media pages, for violation of DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all materials including but not limited to applications, informational documents, marketing materials, guidelines, and operating documents for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<b>ATHLETICS</b>	<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(Identify documented evidence used in the process)</i>	<b>Date Verified</b>	
<b><u>Procedures, Programs and Activities:</u> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</b>					
<ul style="list-style-type: none"> <li>Reviewed procedures, programs, and activities for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed required non-athletic training sessions (internal and external) for students and staff for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A

<ul style="list-style-type: none"> <li>Reviewed all materials developed, produced, funded, and distributed through the department to include applications, marketing materials, guidelines, operating manuals, and any other publication provided by the department for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Reviewed all co-sponsored events with outside entities for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A	N/A
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	N/A	N/A	N/A	N/A	N/A	N/A
<p><b>WEBSITES &amp; SOCIAL MEDIA</b></p>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (Identify documented evidence used in the process)	<b>Date Verified</b>		
<p><b>Website and Social Media Information: Determine whether references to unallowable diversity, equity and inclusion activities on member websites and social media platforms have been identified and removed.</b></p>						
<ul style="list-style-type: none"> <li>Reviewed member websites and social media platforms for content, links, static materials, and downloadable documents for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Amy Klimkovsky, Engineering Communications Executive Director	The web team used SiteImprove to search and identify web pages for the key terms. Engineering Communications searched social media channels for key terms as well for any posts that mentioned specific genders or ethnicities. A spreadsheet was created to indicate website and social media results of the search and to track remediation. Changes were made to all pages/posts that required remediation or deletion.	5/17/2024		
<ul style="list-style-type: none"> <li>Reviewed affiliate websites and social media platforms for content and affiliation language in violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Amy Klimkovsky, Engineering Communications Executive Director	Same as above.	5/17/2024		
<ul style="list-style-type: none"> <li>Implemented a systemic process of review of member websites, domains, and social media platforms to include keyword searches to identify references to DEI related terms that</li> </ul>	Y	Amy Klimkovsky, Engineering Communications Executive Director	<b>Social Media:</b> In adherence to Texas Education Code 51.5325, all personnel granted access to social media platforms managed by Engineering Communications undergo training to ensure alignment with established policies. Moreover, a centralized scheduling system is employed to enhance monitoring capabilities. Quarterly audits are conducted by the social media	5/17/2024		

<p>violate DEI Law and took action to ensure compliance.</p>		<p>team lead to verify the compliance of content across all channels with the aforementioned code. <b>Web:</b> Engineering Communications staff responsible for updating Texas A&amp;M Engineering sites are trained in federal and state guidelines, including Texas Education Code 51.5325. Quarterly audits are conducted by the web team to verify compliance with the aforementioned code.</p>	
<ul style="list-style-type: none"> <li>Implemented a vetting process by which proposed information to be posted to member websites, domains, social media platforms, or any Internet or network outlet will be evaluated to ensure compliance with DEI Law.</li> </ul>	<p>Y</p>	<p>Same as above.</p>	<p>5/17/2024</p>
<p><b>INTERNAL CONTROLS &amp; MONITORING</b></p>	<p><b>Meets Compliance?</b> Y/N/NA</p>	<p><b>Summary of Action Taken</b> <i>(Identify documented evidence used in the process)</i></p>	<p><b>Date Verified</b></p>
<p><b>Internal Controls &amp; Monitoring:</b> Determine whether the member has removed prohibited diversity, equity, and inclusion related rules, developed and implemented operating procedures, and implemented internal controls according to DEI Law and A&amp;M System Policy 08.01.</p>			
<ul style="list-style-type: none"> <li>Reviewed and identified member rules and operating procedures in place that are not compliant with DEI Law and took action to ensure compliance.</li> </ul>	<p>Y</p>	<p>All published TEES Rules and SAPs were manually searched for the key words. No instances of noncompliance with DEI Law were found.</p>	<p>5/8/24</p>
<ul style="list-style-type: none"> <li>Developed and implemented operating procedures to ensure continued compliance with DEI Law.</li> </ul>	<p>Y</p>	<p>As TEES Rules and SAPs are reviewed, created, or modified, TEES Ethics and Compliance will search for the key words listed to ensure compliance with the DEI Law. In accordance with TEES SAP, 01.01.01.E0.01 Development, Approval, and Distribution of Agency Rules and Standard Administrative Procedures, the Director of Ethics &amp; Compliance will review the content for consistency and route for approval to the responsible party, as appropriate.  Monitoring has been effective and internal controls in accordance with the SAP are operating as intended.</p>	<p>5/8/24</p>
<ul style="list-style-type: none"> <li>Implemented internal controls including assignment of monitoring responsibilities, procedures for training, and processes for disseminating information to stakeholders to ensure compliance with DEI Law.</li> </ul>	<p>Y</p>	<p>In accordance with TEES SAP, 01.01.01.E0.01 Development, Approval, and Distribution of Agency Rules and Standard Administrative Procedures, the Director of Ethics &amp; Compliance will review the content for consistency, communicate, and route for approval to the responsible party, as appropriate.</p>	<p>5/8/24</p>

				Monitoring has been effective and internal controls in accordance with the SAP are operating as intended.	
<ul style="list-style-type: none"> <li>Developed a compliance response and reporting process to address issues of noncompliance with DEI Law.</li> </ul>	Y	Deidra White, Ethics & Compliance Director	In accordance with TEES SAP, 01.01.01.E0.01 Development, Approval, and Distribution of Agency Rules and Standard Administrative Procedures, the Director of Ethics & Compliance will communicate with the responsible party for appropriate wording in compliance with DEI Law and will report any noncompliance, as necessary.	5/8/24	
<ul style="list-style-type: none"> <li>Identified procedures for disciplinary action/sanctioning for violations of DEI Law.</li> </ul>	Y	Deidra White, Ethics & Compliance Director	No reporting of noncompliance has been necessary. In accordance with TEES SAP, 01.01.01.E0.01 Development, Approval, and Distribution of Agency Rules and Standard Administrative Procedures, only after final approval, the Director of Ethics & Compliance will distribute the new or revised TEES Rules and SAPs to department heads and will maintain them on the TEES Ethics and Compliance webpage. Any violations of DEI Law will not be published and disciplinary action/sanctioning for violations will be implemented, as appropriate. No disciplinary action has been necessary.	5/8/24	

**SUMMARY OF FINDINGS:** *(to be completed by SECO/OGC)*

Meets compliance

Meets compliance after implementing recommendations

Factors preventing compliance as agency/institute of higher learning has not implemented recommendations on statutory/regulatory requirements

**SIGNATURES**

**Deidra White**  
Digitally signed by Deidra White  
Date: 2024.05.22 08:46:04  
-05'00'

Compliance Officer

5/22/24

Date

Approved by:

**Robert Bishop**  
Digitally signed by Robert Bishop  
Date: 2024.05.23 16:06:28 -05'00'

Chief Executive Officer

05/23/2024

Date



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**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Robert Bishop, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

**Robert Bishop**

Digitally signed by Robert Bishop  
Date: 2024.08.14 10:19:18 -05'00'

Signature

**8/14/2024**

Date

Please check one:

- President
- Board Chair

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UNIVERSITIES

- Texas A&M University
- Texas A&M University at Galveston
- Texas A&M Health Science Center
- Prairie View A&M University
- Texas A&M University-Commerce
- Tarleton State University
- West Texas A&M University
- Texas A&M University-Kingsville
- Texas A&M University-Corpus Christi
- Texas A&M International University
- Texas A&M University-Texarkana
- Texas A&M University-Central Texas
- Texas A&M University-San Antonio



AGENCIES

- Texas A&M AgriLife Research
- Texas A&M Engineering Experiment Station
- Texas A&M Forest Service
- Texas A&M AgriLife Extension Service
- Texas A&M Engineering Extension Service
- Texas A&M Transportation Institute
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Texas Division of Emergency Management

OTHER MEMBER INSTITUTIONS

- Texas A&M-RELLIS
- Texas A&M-Fort Worth

# Board of Regents

## THE TEXAS A&M UNIVERSITY SYSTEM

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Bill Mahomes, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

*William Mahomes*  
Signature

August 16, 2024  
Date

Please check one:

- President
- Board Chair



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## DEI Law Certification of Compliance

### CHIEF EXECUTIVE OFFICER ACKNOWLEDGEMENT

Member Institution/Agency: Texas A&M Engineering Experiment Station (TEES)

Chief Executive Officer: Robert H. Bishop

I certify, under penalty of perjury and the loss of funding to *Texas A&M Engineering Experiment Station (TEES)*, that TEES has complied with the requirements in Tex. Educ. Code § 51.3525:

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of:

- influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;
- promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
- promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

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I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).

I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY25 have been spent prior to submission of this certification report to the Legislature and the Texas Higher Education Coordinating Board.

I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

I understand all complaints regarding any violations made by this institution will be sent to the State Auditor's Office for review.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year TEES has conducted the following:

- Conducted a review of all programs and activities, offices, personnel, and training sessions for potential violations of Tex. Educ. Code § 51.3525 and discontinued those found to be in violation.
- Updated *The Texas A&M University System Policy 08.01 Civil Rights Protection and Compliance* to reflect additions to Tex. Educ. Code § 51.3525 which was adopted by the Board of Regents in August 2023.
- Developed and implemented operating procedures in line with the updated System policy and The Texas A&M University System D.E.I. Compliance Operational Manual to facilitate on-going compliance with Tex. Educ. Code § 51.3525. See attached compliance checklist as supporting documentation.
- Participated in an audit review by The Texas A&M University System Department of Internal Audit with the objective of evaluating actions taken by the institution to ensure compliance with Tex. Educ. Code § 51.3525.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.

**Robert Bishop** Digitally signed by Robert Bishop  
Date: 2024.05.28 15:02:32 -05'00'

05/28/2024

Signature of Institution President/CEO

Date

  
Signature of Board Chair



Institution: Texas A&M Engineering Extension Service  
(TEEX)  
Date Submitted: 08/23/24  
Pages: 17



**System Ethics & Compliance Office**

Annual D.E.I. Compliance

ECO Review Checklist

Member Agency/Institution:

Texas A&M Engineering Extension Service

Ethics & Compliance Officer:

Mark Posada

Chief Executive Officer:

David Coatney

<b>FINANCE &amp; BUDGETING</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(identify documented evidence used in the process)</i>	<b>Date Verified</b>
<b>Budgets &amp; Accounting:</b> <i>Determine whether the member has complied with the elimination of account and budget codes that fund diversity, equity, and inclusion initiatives in violation of DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</i>				
<ul style="list-style-type: none"> <li>Identified accounts and/or budget codes that fund DEI initiatives and taken action to ensure compliance.</li> </ul>	Y	Monty Tyagi Assistant Controller TEEX HQ – College Station, Texas	A search of our Masterpiece accounts was conducted to ensure no DEI initiatives were funded.	04/18/2024
<ul style="list-style-type: none"> <li>Eliminated accounts and/or budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources that violate DEI Law.</li> </ul>	Y	Monty Tyagi Assistant Controller TEEX HQ – College Station, Texas	A freeze was placed on a law enforcement account that was established years ago as part of a Texas Commission on Law Enforcement training requirement. No other others were necessary as we did not have any specific DEI accounts, sub-accounts, or departments.	05/07/2024
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review and vetting of current and proposed accounts and budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources to ensure compliance.</li> </ul>	Y	Monty Tyagi Assistant Controller TEEX HQ – College Station, Texas	TEEX already has a robust process for reviewing and vetting accounts, so no additional actions were needed.	04/18/2024
<ul style="list-style-type: none"> <li>Implemented a record-retention process for reporting purposes.</li> </ul>	Y	Kassandra Weiss Compliance Coordinator TEEX HQ – College Station, Texas	No additional action was necessary.	04/18/2024

HUMAN RESOURCES	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b>DEI Related Offices and Third-Party Contracts:</b> Determine whether the member has complied with the elimination of departments, divisions, and/or offices that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified offices, divisions, or other units that are responsible for diversity, equity, and inclusion initiatives and took action to ensure compliance.</li> </ul>	Y	Christina Foley Chief Human Resource Officer TEEX HQ – College Station, Texas	<ul style="list-style-type: none"> <li>Email received on 4/18 indicated there was one DEI office dissolved in May 2023 so we will need the name of the DEI Office that was dissolved along with the corresponding FAMIS account numbers for this office and the name of the personnel assigned to this office.</li> <li>We had two positions tied to our DEI efforts. Those positions were the Chief Diversity Officer (CDO), Christina Foley, and the REI Manager, Sade Fields. Per our Financial Services Team, we did not have a separate account for the CDO and REI Manager positions. Both positions were charged to the agency director's office account. This account was active prior to the REI positions and remains active because it captures the cost for the director's and COO's offices. The FAMIS account numbers are: TEEX 011010/010000 FAMIS SL 101100.</li> </ul>	4/26/24
<ul style="list-style-type: none"> <li>Identified third-party vendors performing the duties of a diversity, equity, and inclusion office and took action to ensure compliance.</li> </ul>	Y	Sade Fields Employee Relations Manager TEEX HQ – College Station, Texas	<p>Candelaria Reyes Consulting was the only third part vendor we had performing DEI related initiatives.</p> <p>Per our financial services team, the master contract, C2021-2241, is a TAMU Master Order that is good through 11/17/2025. The purchase order we had with that company, AB0730986, was only good for the proposal that you all put together, but it was based on the TAMU Master contract. We received our final bill on 7/21/23 and ended our working relationship within the same time frame. Attached are supporting documents.</p>	4/26/24
<b>Personnel:</b> Determine whether the member has complied with the restriction on hiring or assigning employees to perform the duties of diversity, equity, and inclusion.				
<ul style="list-style-type: none"> <li>Identified active personnel with responsibilities for performing diversity, equity, and inclusion functions and took action to ensure compliance.</li> </ul>	Y	Christina Foley Chief Human Resource Officer TEEX HQ – College Station, Texas	Human Resources conducted a review of TEEX position descriptions to assess the need for any edits. Two position descriptions were identified that made references to DEI related initiatives. Both position descriptions have been revised and submitted on 1/23/24 as part of the audit review request.	1/23/24

<ul style="list-style-type: none"> <li>Identified unallowable personnel duties within active and inactive job descriptions and working templates for language that violates DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Maria Herrera Manager, Compensation and Benefits TEEX HQ – College Station, Texas</p>	<ol style="list-style-type: none"> <li>We reviewed and updated 144 position descriptions provided by System by removing any potential noncompliance terms.</li> <li>We also ran a report of all current position descriptions and identified 8 more which we updated by removing any potential noncompliance terms.</li> <li>We reviewed and updated position descriptions of unfilled positions by removing any potential noncompliance terms.</li> </ol>	<ol style="list-style-type: none"> <li>4/5/24</li> <li>4/9/24</li> <li>4/26/24</li> </ol>
<ul style="list-style-type: none"> <li>Identified employee funding sources that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Christina Foley Chief Human Resource Officer TEEX HQ – College Station, Texas</p>	<p>We had two positions tied to our DEI efforts. Those positions were the Chief Diversity Officer (CDO), Christina Foley, and the REI Manager, Sade Fields. Per our Financial Services Team, we did not have a separate account for the CDO and REI Manager positions. Both positions were charged to the agency director's office account. This account was active prior to the REI positions and remains active because it captures the cost for the director's and COO's offices. The FAMIS account numbers are: TEEX 011010/010000 FAMIS SL 101100.</p>	4/26/24
<p><b><u>Hiring and Employment Practices and Procedures:</u></b> Determine whether member hiring and employment practices and procedures have been updated to exclude requirements for DEI statements and do not provide special preferential treatment on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution relating to this process.</p>				
<ul style="list-style-type: none"> <li>Reviewed hiring and employment documents and materials, to include rubrics and matrices, and identified prohibited language, requirements, practices and/or procedures took action to ensure compliance. (See DEI Law Operations Manual under IV. Monitoring, Section B, Item 2c for a comprehensive list.)</li> </ul>	Y	<p>Wendoline Herrera Talent Acquisition Manager TEEX HQ – College Station, Texas</p>	<ol style="list-style-type: none"> <li>Sample Interview Questions – TEEX Values (Formerly known as 'Hiring for Culture') <ul style="list-style-type: none"> <li>Removed unallowable DEI words from sample interview questions.</li> </ul> </li> <li>Hiring Refresher PowerPoint Presentation <ul style="list-style-type: none"> <li>Added content regarding unallowable DEI words while preparing interview questions.</li> </ul> </li> <li>Reviewed SharePoint – HR&gt;Talent Acquisition and Employment <ul style="list-style-type: none"> <li>CTRL+F the page to audit if there were any unallowable DEI words. None found.</li> </ul> </li> <li>Reviewed SharePoint – HR&gt;Supervisor Help &gt; Talent Acquisition and Employment <ul style="list-style-type: none"> <li>CTRL+F the page to audit if there were any unallowable DEI words. None found. Attachment for reference – SharePoint – Talent Acquisition and Employment Page</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>4/22/2024</li> <li>4/23/2024</li> <li>5/6/2024</li> <li>5/6/2024</li> </ol>

			<ul style="list-style-type: none"> <li>Clicked into each supplemental document with instruction/guidance. Found unallowable DEI word in the following documents:</li> <li>Conducting Interviews – Removed “Culture.” Added additional guidance on how to abide with SBI17. Republished with updates on 05/06/2024.</li> </ul>	
<ul style="list-style-type: none"> <li>Reviewed performance evaluation tools and metrics, documents and forms for promotions, merit increases, and equity adjustments, and all related procedures; identified prohibited language and/or requirements and took action to ensure compliance.</li> </ul>	Y	<p>Sade Fields Employee Relations Manager Maria Herrera Manager, Compensation and Benefits TEEX HQ – College Station, Texas</p>	<p>The SharePoint Compensation pages and documents were reviewed and updated by removing any potential noncompliance terms.</p>	4/19/2024
<ul style="list-style-type: none"> <li>Implemented a system of systemic evaluation and review to vet proposed positions, processes, and materials to ensure they meet compliance prior to publication.</li> </ul>	Y	<p>Christina Foley Chief Human Resource Officer TEEX HQ – College Station, Texas</p>	<p>Created processes for systematic review of positions, processes, and materials. Refer to DEI Ops manual for additional information.</p>	5/1/24
<p><b><u>Training Sessions and Materials:</u> Determine whether the member has complied with the elimination of required training sessions and materials that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</b></p>				
<ul style="list-style-type: none"> <li>Reviewed required training sessions for those identified as prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Kim Everett Training and Development Manager TEEX HQ – College Station, Texas</p>	<p>Required training of all Texas A&amp;M System Members not reviewed because they belong to the Texas A&amp;M System Office, and we cannot change: -Ethics and Fraud -Orientation to the Texas A&amp;M System -Creating a Discrimination Free Workplace -Information Security Awareness  TEEX Required Courses HazCom – Owned by Texas A&amp;M University System Office Generic Bloodborne Pathogens – no prohibited terms found TEEX Agency Culture Orientation – Course marked as inactive. Updates made, course upload pending approval based on changes made</p>	5/12/24
<ul style="list-style-type: none"> <li>Reviewed all training sessions and materials for language and elements prohibited by DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Kim Everett Training and Development Manager TEEX HQ – College Station, Texas</p>	<p>Reviewed materials for internal courses, courses for the Peer Support Team, and training courses with materials provided by a third party. During the review, Training and Development documented changes made by class. The team also flagged any derivative of words on the list provided by the Texas A&amp;M System</p>	5/12/24

	Y	<p>Kim Everett Training and Development Manager TEEX HQ – College Station, Texas</p>	<p>for further review from regulation experts regarding their ability to be used (e.g., faith vs religion)</p>	
<ul style="list-style-type: none"> <li>Implemented procedures to review proposed training sessions and materials for compliance prior to activation.</li> </ul>	Y	<p>Kim Everett Training and Development Manager TEEX HQ – College Station, Texas</p>	<p>Internal training developer(s) have been made aware of the law, the words to exclude in materials and information compliance must be met in both the printed materials and the spoken delivery.</p> <p>External training vendors have been made aware of the law and an initial process has been identified to allow for vetting and compliance review. Process has been identified for currently used vendors but will extend to vendors who have contracts but have not been utilized, as well as future vendors.</p> <p>Process includes:</p> <ul style="list-style-type: none"> <li>Pre-training meeting with the presenter for the class 2-3 weeks prior to the class taking place to reiterate the law's mandates and compliance requirements for materials and spoken delivery.</li> <li>2 weeks prior to training taking place, the presenters are expected to provide their materials for review by the Training and Development team.</li> <li>Training and development team will search materials for the provided list of terms not to be used and return a list of edits (if needed) to the presenter for corrections.</li> </ul> <p>Vendors have been informed that deviating from compliance may result in no longer being utilized for future training.</p>	5/12/24
<p><b>FACULTY AFFAIRS</b></p>	Meets Compliance? Y/N/NA	<p><b>Employee Responsible</b> (include title and location)</p>	<p><b>Summary of Action Taken</b> (identify documented evidence used in the process)</p>	<p><b>Date Verified</b></p>
<p><b>Procedures, Programs and Activities:</b> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</p>				
<ul style="list-style-type: none"> <li>Reviewed all faculty hiring and recruiting practices and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all procedures for tenure review, promotions, merit increases, and equity adjustments; identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			

<ul style="list-style-type: none"> <li>Reviewed all faculty organizations supported by the university to evaluate their purpose, structure, and funding. Identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all grant proposals and accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed the provisions for all academic or professional opportunities extended to students, faculty, and visiting scholars to include institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all forms, documents, procedures, and practices related to the functions listed in this section and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all functions listed in this section to include the vetting of proposed processes, practices, organizations, funding proposals, certifications and corresponding materials to ensure compliance.</li> </ul>	N/A			

<b>STUDENT AFFAIRS</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(identify documented evidence used in the process)</i>	<b>Date Verified</b>
<b>Procedures, Programs and Activities:</b> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.				
<ul style="list-style-type: none"> <li>Reviewed all departmental events including institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all staff work and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all student and staff training sessions and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all student success and outreach programs and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all trainings, programs, events, and activities to ensure compliance.</li> </ul>	N/A			
<b>SCHOLARSHIPS &amp; FINANCIAL AID</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(identify documented evidence used in the process)</i>	<b>Date Verified</b>

**Scholarships & Financial Aid:** Determine whether the member has discontinued the award of scholarships and financial aid that promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.

	N/A			
<ul style="list-style-type: none"> <li>Reviewed all awards administered, promoted, and/or facilitated by the member for violation of DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all outlets announcing or promoting scholarships and financial aid, to include websites and social media pages, for violation of DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all materials including but not limited to applications, informational documents, marketing materials, guidelines, and operating documents for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	N/A			
<p><b>ATHLETICS</b></p>	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified

**Procedures, Programs and Activities:** Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.

<ul style="list-style-type: none"> <li>Reviewed procedures, programs, and activities for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A			
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<ul style="list-style-type: none"> <li>Reviewed required non-athletic training sessions (internal and external) for students and staff for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all materials developed, produced, funded, and distributed through the department to include applications, marketing materials, guidelines, operating manuals, and any other publication provided by the department for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Reviewed all co-sponsored events with outside entities for violations of DEI Law and took action to ensure compliance.</li> </ul>	N/A			
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	N/A			
<p><b>WEBSITES &amp; SOCIAL MEDIA</b></p>	Meets Compliance? Y/N/NA	Employee Responsible <i>(include title and location)</i>	Summary of Action Taken <i>(identify documented evidence used in the process)</i>	Date Verified
<p><b>Website and Social Media Information: Determine whether references to unallowable diversity, equity and inclusion activities on member websites and social media platforms have been identified and removed.</b></p>				
<ul style="list-style-type: none"> <li>Reviewed member websites and social media platforms for content, links, static materials, and downloadable documents for violation of DEI Law and took action to ensure compliance.</li> </ul>	Y	Vince Riggins Chief Information Officer  Vita Vaughn Director, Marketing and Communication  TEEX HQ – College Station	Created a rule set looking for those words in SiteImprove to help monitor websites.	04/18/2024

<ul style="list-style-type: none"> <li>Reviewed affiliate websites and social media platforms for content and affiliation language in violation of DEI Law and took action to ensure compliance.</li> </ul>	N/A		TEEX does not have affiliate websites.	04/18/2024
<ul style="list-style-type: none"> <li>Implemented a systemic process of review of member websites, domains, and social media platforms to include keyword searches to identify references to DEI related terms that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Vince Riggins Chief Information Officer</p> <p>Vita Vaughn Director, Marketing and Communication</p> <p>TEEX HQ – College Station</p>	<p>The rule created in SiteImprove serves a constant monitoring process for our websites. The Marketing and Communications department monitors our social media platforms to ensure compliance with DEI law requirements.</p>	04/18/2024
<ul style="list-style-type: none"> <li>Implemented a vetting process by which proposed information to be posted to member websites, domains, social media platforms, or any Internet or network outlet will be evaluated to ensure compliance with DEI Law.</li> </ul>	Y	<p>Vince Riggins Chief Information Officer</p> <p>Vita Vaughn Director, Marketing and Communication</p> <p>TEEX HQ – College Station</p>	<p>Marketing and Communications created guidance for all marketing teams within TEEX to ensure compliance with DEI requirements.</p>	06/06/2024
<p><b>INTERNAL CONTROLS &amp; MONITORING</b></p>	<p>Meets Compliance? Y/N/NA</p>	<p><b>Employee Responsible</b> <i>(include title and location)</i></p>	<p><b>Summary of Action Taken</b> <i>(identify documented evidence used in the process)</i></p>	<p><b>Date Verified</b></p>
<p><b>Internal Controls &amp; Monitoring:</b> Determine whether the member has removed prohibited diversity, equity, and inclusion related rules, developed and implemented operating procedures, and implemented internal controls according to DEI Law and A&amp;M System Policy 08.01.</p>				
<ul style="list-style-type: none"> <li>Reviewed and identified member rules and operating procedures in place that are not compliant with DEI Law and took action to ensure compliance.</li> </ul>	Y	<p>Mark Posada Ethics and Compliance Officer TEEX HQ – College Station, Texas</p>	<p>Reviewed agency SAPs to ensure they followed DEI law and developed the agency's DEI Operations Manual to ensure continued compliance.</p>	04/19/2024

<ul style="list-style-type: none"> <li>Developed and implemented operating procedures to ensure continued compliance with DEI Law.</li> </ul>	Y	<p>Mark Posada Ethics and Compliance Officer TEEX HQ – College Station, Texas</p>	<p>Developed the agency's DEI Operations Manual.</p>	04/19/2024
<ul style="list-style-type: none"> <li>Implemented internal controls including assignment of monitoring responsibilities, procedures for training, and processes for disseminating information to stakeholders to ensure compliance with DEI Law.</li> </ul>	Y	<p>Mark Posada Ethics and Compliance Officer TEEX HQ – College Station, Texas</p>	<p>Developed as part of the agency's DEI Operations Manual.</p>	04/19/2024
<ul style="list-style-type: none"> <li>Developed a compliance response and reporting process to address issues of noncompliance with DEI Law.</li> </ul>	Y	<p>Mark Posada Ethics and Compliance Officer TEEX HQ – College Station, Texas</p>	<p>Reporting processes were developed as part of the agency's DEI Operations Manual.</p>	04/19/2024
<ul style="list-style-type: none"> <li>Identified procedures for disciplinary action/sanctioning for violations of DEI Law.</li> </ul>	Y	<p>Mark Posada Ethics and Compliance Officer TEEX HQ – College Station, Texas</p>	<p>Procedures were developed as part of the agency's DEI Operations Manual.</p>	06/27/2024

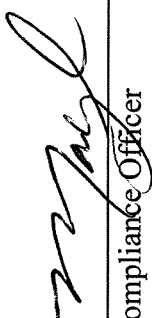
**SUMMARY OF FINDINGS: (to be completed by SECO/OGC)**

**X** Meets compliance

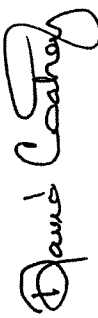
Meets compliance after implementing recommendations

Factors preventing compliance as agency/institute of higher learning has not implemented recommendations on statutory/regulatory requirements

SIGNATURES

  
\_\_\_\_\_  
Compliance Officer

06/28/2024  
Date

Approved by:  
  
\_\_\_\_\_  
Chief Executive Officer

06/28/2024  
Date



OFFICE OF THE DIRECTOR

200 Technology Way | College Station, TX 77845-3424  
P.O. Box 40006 | College Station, TX 77842-4006  
Toll-Free 877.833.9638 Tel. 979.458.6800 Fax 979.458.6829  
www.teex.org

DEI Law Certification of Compliance

CHIEF EXECUTIVE OFFICER ACKNOWLEDGEMENT

Member Institution/Agency: Texas A&M Engineering Extension Service (TEEX)

Chief Executive Officer: David Coatney

I certify, under penalty of perjury and the loss of funding to TEEX, that TEEX has complied with the requirements in Tex. Educ. Code § 51.3525:

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of:

- influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;
- promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
- promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

I certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).

I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for FY2024 have been spent prior to submission of this certification report to the Legislature and the Texas Higher Education Coordinating Board.

I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

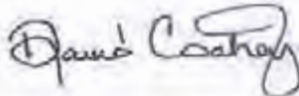
I understand all complaints regarding any violations made by this institution will be sent to the State Auditor's Office for review.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year TEEX has conducted the following:

- Conducted a review of all programs and activities, offices, personnel, and training sessions for potential violations of Tex. Educ. Code § 51.3525 and discontinued those found to be in violation.

- Updated *The Texas A&M University System Policy 08.01 Civil Rights Protection and Compliance* to reflect additions to Tex. Educ. Code § 51.3525 which was adopted by the Board of Regents in August 2023,
- Developed and implemented operating procedures in line with the updated System policy and The Texas A&M University System D.E.I. Compliance Operational Manual to facilitate on-going compliance with Tex. Educ. Code § 51.3525. See attached compliance checklist as supporting documentation.
- Participated in an audit review by The Texas A&M University System Department of Internal Audit with the objective of evaluating actions taken by the institution to ensure compliance with Tex. Educ. Code § 51.3525.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.



05/29/2024

Signature of Institution President/CEO

Date



8/22/24

Signature of Board Chair

Date

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, David Cozney, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

David Cozney  
Signature

8/16/24  
Date

Please check one:

- President
- Board Chair

UNIVERSITIES

- Texas A&M University
- Texas A&M University at Galveston
- Texas A&M Health Science Center
- Prairie View A&M University
- Texas A&M University-Commerce
- Tarleton State University
- West Texas A&M University
- Texas A&M University-Kingsville
- Texas A&M University-Corpus Christi
- Texas A&M International University
- Texas A&M University-Texarkana
- Texas A&M University-Central Texas
- Texas A&M University-San Antonio



AGENCIES

- Texas A&M AgriLife Research
- Texas A&M Engineering Experiment Station
- Texas A&M Forest Service
- Texas A&M AgriLife Extension Service
- Texas A&M Engineering Extension Service
- Texas A&M Transportation Institute
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Texas Division of Emergency Management

OTHER MEMBER INSTITUTIONS

- Texas A&M-RELLIS
- Texas A&M-Fort Worth

# Board of Regents

## THE TEXAS A&M UNIVERSITY SYSTEM

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Bill Mahomes, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

*William Mahomes*  
Signature

August 16, 2024  
Date

Please check one:

- President
- Board Chair

Institution: Texas A&M Forest Service  
Date Submitted: 08/23/24  
Pages: 15



## System Ethics & Compliance Office

Annual D.E.I. Compliance

*ECO Review Checklist*

Member Agency/Institution:

Texas A&M Forest Service

Ethics & Compliance Officer:

Katie Fulton

Chief Executive Officer:

Al Davis

FINANCE & BUDGETING	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<b>Budgets &amp; Accounting:</b> Determine whether the member has complied with the elimination of account and budget codes that fund diversity, equity, and inclusion initiatives in violation of DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified accounts and/or budget codes that fund DEI initiatives and taken action to ensure compliance.</li> </ul>	Y	Travis Zamzow Budgets & Accounting Department Head Agency HQ College Station	Reviewed accounts and budget codes in FAMIS and found no funding for DEI initiatives.	5/14/2024
<ul style="list-style-type: none"> <li>Eliminated accounts and/or budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources that violate DEI Law.</li> </ul>	Y	Travis Zamzow Budgets & Accounting Department Head Agency HQ College Station	Reviewed FAMIS and found no agency accounts or budget codes with titles, locations/departments, sub-accounts/sub-departments, or funding sources that violate the DEI Law.	5/14/2024
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review and vetting of current and proposed accounts and budget codes to include titles, locations/departments, sub-accounts/sub-departments, and funding sources to ensure compliance.</li> </ul>	Y	Travis Zamzow Budgets & Accounting Department Head Agency HQ College Station	Developed and implemented Administrative Procedure 10.27 DEI Law Compliance, which includes monitoring procedures for Budgets & Accounting Department staff to review for and address any DEI content in titles, locations/departments, sub-accounts/sub-departments, and funding sources. Developed and issued a DEI Law Compliance Leadership Guide to increase awareness and help ensure compliance.	5/14/2024
<ul style="list-style-type: none"> <li>Implemented a record-retention process for reporting purposes.</li> </ul>	Y	Katie Fulton Compliance Coordinator Agency HQ College Station	Existing Administrative Procedure 01.05 Records Retention includes the process for ensuring compliance with the A&M System Records Retention Schedule, which includes any records related to DEI Law compliance audits, findings, procedures, or activities.	5/14/2024

<b>HUMAN RESOURCES</b>	<b>Meets Compliance?</b> Y/N/NA	<b>Employee Responsible</b> (include title and location)	<b>Summary of Action Taken</b> (Identify documented evidence used in the process)	<b>Date Verified</b>
<b>DEI Related Offices and Third-Party Contracts:</b> Determine whether the member has complied with the elimination of departments, divisions, and/or offices that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.				
<ul style="list-style-type: none"> <li>Identified offices, divisions, or other units that are responsible for diversity, equity, and inclusion initiatives and took action to ensure compliance.</li> </ul>	Y	Robby DeWitt Associate Director of Finance & Administration Agency HQ College Station	Reviewed agency org charts, rules, procedures, and guidelines, and verified that there were no offices, divisions or units responsible for DEI initiatives.	5/14/2024
<ul style="list-style-type: none"> <li>Identified third-party vendors performing the duties of a diversity, equity, and inclusion office and took action to ensure compliance.</li> </ul>	Y	Terry Smith Purchasing Department Head Agency HQ College Station	Reviewed agency org charts, rules, procedures, and guidelines, and verified that there were no offices, divisions, or units for DEI initiatives performed by third-party vendors. Reviewed existing vendors and contracts and found no contracts for DEI duties.	5/14/2024
<b>Personnel:</b> Determine whether the member has complied with the restriction on hiring or assigning employees to perform the duties of diversity, equity, and inclusion.				
<ul style="list-style-type: none"> <li>Identified active personnel with responsibilities for performing diversity, equity, and inclusion functions and took action to ensure compliance.</li> </ul>	Y	John Wegenhoft Employee Development Department Head Agency HQ College Station	Reviewed the employee directory and identified no active personnel with DEI responsibilities.	5/14/2024
<ul style="list-style-type: none"> <li>Identified unallowable personnel duties within active and inactive job descriptions and working templates for language that violates DEI Law and took action to ensure compliance.</li> </ul>	Y	John Wegenhoft Employee Development Department Head Agency HQ College Station	System Audit conducted a search of job descriptions in Workday for all agency positions. Identified one position that contained the phrase "Cultivate diversity, equity and leadership within the urban forestry community" in the job duties and immediately removed it. Learned how System Audit performed the search using a report from Workday and added the search to agency process for future monitoring/reviews.	5/14/2024
<ul style="list-style-type: none"> <li>Identified employee funding sources that violate DEI Law and took action to ensure compliance.</li> </ul>	Y	Travis Zamzow Budgets and Accounting Department Head Agency HQ College Station	Reviewed all funding sources and verified that the agency has no funding sources that violate the DEI Law.	5/14/2024

**Hiring and Employment Practices and Procedures:** Determine whether member hiring and employment practices and procedures have been updated to exclude requirements for DEI statements and do not provide special benefit or promote preferential treatment on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution relating to this process.

<ul style="list-style-type: none"> <li>Reviewed hiring and employment documents and materials, to include rubrics and matrices, and identified prohibited language, requirements, practices and/or procedures took action to ensure compliance. (See DEI Law Operations Manual under IV. Monitoring, Section B, Item 2c for a comprehensive list.)</li> </ul>	<p><b>Y</b></p>	<p>John Wegenhoft Employee Development Department Head Agency HQ College Station</p>	<p>Reviewed current hiring guidelines, documents, forms, and materials and identified no prohibited language, requirements, practices, or procedures.</p>	<p><b>5/14/2024</b></p>
<ul style="list-style-type: none"> <li>Reviewed performance evaluation tools and metrics, documents and forms for promotions, merit increases, and equity adjustments, and all related procedures; identified prohibited language and/or requirements and took action to ensure compliance.</li> </ul>	<p><b>Y</b></p>	<p>John Wegenhoft Employee Development Department Head Agency HQ College Station</p>	<p>Conducted a review of the agency's current rules, administrative procedures, guidelines, and forms, including those related to performance evaluations, merit increases, equity adjustments, etc. Confirmed that they are all compliant with the DEI Law.</p>	<p><b>5/14/2024</b></p>
<ul style="list-style-type: none"> <li>Implemented a system of systemic evaluation and review to vet proposed positions, processes, and materials to ensure they meet compliance prior to publication.</li> </ul>	<p><b>Y</b></p>	<p>John Wegenhoft Employee Development Department Head Agency HQ College Station</p>	<p>Developed and implemented Administrative Procedure 10.27 DEI Law Compliance, which includes monitoring procedures for Employee Development Department staff and AgriLife Human Resources to review for and address any DEI content in job profiles, titles, hiring process documents, and performance evaluations. Developed and issued a DEI Law Compliance Leadership Guide to increase awareness and help ensure compliance.</p>	<p><b>5/14/2024</b></p>
<p><b>Training Sessions and Materials:</b> Determine whether the member has complied with the elimination of required training sessions and materials that violate the DEI Law as implemented by System Policy 08.01, Civil Rights Compliance and Protections.</p>				
<ul style="list-style-type: none"> <li>Reviewed required training sessions for those identified as prohibited by DEI Law and took action to ensure compliance.</li> </ul>	<p><b>Y</b></p>	<p>John Wegenhoft Employee Development Department Head Agency HQ College Station</p>	<p>Reviewed all required training courses administered by the agency (through Train Traq and by other means) and confirmed that they include no DEI-related training.</p>	<p><b>5/14/2024</b></p>

<ul style="list-style-type: none"> <li>Reviewed all training sessions and materials for language and elements prohibited by DEI Law and took action to ensure compliance.</li> </ul>	<p align="center"><b>Y</b></p>	<p>John Wegenhoft Employee Development Department Head Agency HQ College Station</p>	<p>Reviewed all training course materials and confirmed that none contained any DEI language or elements.</p>	<p align="center"><b>5/14/2024</b></p>
<ul style="list-style-type: none"> <li>Implemented procedures to review proposed training sessions and materials for compliance prior to activation.</li> </ul>	<p align="center"><b>Y</b></p>	<p>John Wegenhoft Employee Development Department Head Agency HQ College Station</p>	<p>Developed and implemented Administrative Procedure 10.27 DEI Law Compliance, which includes monitoring procedures for Employee Development Department staff and AgriLife Human Resources to review for and address any DEI content in training materials. Developed and issued a DEI Law Compliance Leadership Guide to increase awareness and help ensure compliance.</p>	<p align="center"><b>5/14/2024</b></p>
<p align="center"><b>FACULTY AFFAIRS</b></p>	<p align="center"><b>Meets Compliance? Y/N/NA</b></p>	<p align="center"><b>Employee Responsible (include title and location)</b></p>	<p align="center"><b>Summary of Action Taken (identify documented evidence used in the process)</b></p>	<p align="center"><b>Date Verified</b></p>
<p><b><u>Procedures, Programs and Activities:</u> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</b></p>				
<ul style="list-style-type: none"> <li>Reviewed all faculty hiring and recruiting practices and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	<p align="center">NA</p>			
<ul style="list-style-type: none"> <li>Reviewed all procedures for tenure review, promotions, merit increases, and equity adjustments; identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	<p align="center">NA</p>			
<ul style="list-style-type: none"> <li>Reviewed all faculty organizations supported by the university to evaluate their purpose, structure, and funding. Identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	<p align="center">NA</p>			
<ul style="list-style-type: none"> <li>Reviewed all grant proposals and accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	<p align="center">NA</p>			

<ul style="list-style-type: none"> <li>Reviewed all accreditation certifications and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	NA			
<ul style="list-style-type: none"> <li>Reviewed the provisions for all academic or professional opportunities extended to students, faculty, and visiting scholars to include institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	NA			
<ul style="list-style-type: none"> <li>Reviewed all forms, documents, procedures, and practices related to the functions listed in this section and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	NA			
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic evaluation and review of all functions listed in this section to include the vetting of proposed processes, practices, organizations, funding proposals, certifications and corresponding materials to ensure compliance.</li> </ul>	NA			
<p><b>STUDENT AFFAIRS</b></p>	Meets Compliance? Y/N/NA	Employee Responsible (include title and location)	Summary of Action Taken (identify documented evidence used in the process)	Date Verified
<p><b>Procedures, Programs and Activities:</b> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</p>				
<ul style="list-style-type: none"> <li>Reviewed all departmental events including institutional conferences and seminars and identified those that violate DEI Law and took action to ensure compliance.</li> </ul>	NA			



<ul style="list-style-type: none"> <li>Reviewed all outlets announcing or promoting scholarships and financial aid, to include websites and social media pages, for violation of DEI Law and took action to ensure compliance.</li> </ul>	NA					
<ul style="list-style-type: none"> <li>Reviewed all materials including but not limited to applications, informational documents, marketing materials, guidelines, and operating documents for violations of DEI Law and took action to ensure compliance.</li> </ul>	NA					
<ul style="list-style-type: none"> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	NA					
<b>ATHLETICS</b>						
<b><u>Procedures, Programs and Activities:</u> Determine whether the member has discontinued procedures, programs and activities which promote differential treatment of or provide special benefits to individuals on the basis of race, color, or ethnicity.</b>						
<ul style="list-style-type: none"> <li>Reviewed procedures, programs, and activities for violations of DEI Law and took action to ensure compliance.</li> </ul>	NA					
<ul style="list-style-type: none"> <li>Reviewed required non-athletic training sessions (internal and external) for students and staff for violations of DEI Law and took action to ensure compliance.</li> </ul>	NA					
<ul style="list-style-type: none"> <li>Reviewed all materials developed, produced, funded, and distributed through the department to include applications, marketing materials, guidelines, operating manuals, and</li> </ul>	NA					

any other publication provided by the department for violations of DEI Law and took action to ensure compliance.							
<ul style="list-style-type: none"> <li>Reviewed all co-sponsored events with outside entities for violations of DEI Law and took action to ensure compliance.</li> <li>Implemented procedures for the systemic review of all functions listed above to ensure compliance.</li> </ul>	<u>NA</u>						
<b>WEBSITES &amp; SOCIAL MEDIA</b>	Meets Compliance? Y/N/NA	<b>Employee Responsible</b> <i>(include title and location)</i>	<b>Summary of Action Taken</b> <i>(identify documented evidence used in the process)</i>	<b>Date Verified</b>			
<b>Website and Social Media Information: Determine whether references to unallowable diversity, equity and inclusion activities on member websites and social media platforms have been identified and removed.</b>							
<ul style="list-style-type: none"> <li>Reviewed member websites and social media platforms for content, links, static materials, and downloadable documents for violation of DEI Law and took action to ensure compliance.</li> </ul>	<b>Y</b>	Linda Moon Assistant Director Communications/ Marketing Agency HQ College Station	Conducted an advanced search of all agency social media sites and agency websites for DEI keywords (this included the words “Diversity”, “Equity”, and “Inclusion” and a combination of these words). Identified two websites that contained these DEI keywords, but it was determined that these pages were not in violation of the DEI Law.	<b>5/14/2024</b>			
<ul style="list-style-type: none"> <li>Reviewed affiliate websites and social media platforms for content and affiliation language in violation of DEI Law and took action to ensure compliance.</li> </ul>	<b>Y</b>	Linda Moon Assistant Director Communications/ Marketing Agency HQ College Station	Conducted an advanced search of all agency-affiliate websites and social media sites with links to agency websites and social media sites for DEI keywords (this included the words “Diversity”, “Equity”, and “Inclusion” and a combination of these words). Identified no content or affiliation language in violation of the DEI Law.	<b>5/14/2024</b>			
<ul style="list-style-type: none"> <li>Implemented a systemic process of review of member websites, domains, and social media platforms to include keyword searches to identify references to DEI related terms that violate DEI Law and took action to ensure compliance.</li> </ul>	<b>Y</b>	Linda Moon Assistant Director Communications/ Marketing Agency HQ College Station	Developed and implemented Administrative Procedure 10.27 DEI Law Compliance, which includes biannual reviews by the Compliance Coordinator. As part of these reviews, the Compliance Coordinator will conduct advanced searches of agency websites and social media sites for DEI content and address any found.	<b>5/14/2024</b>			

<ul style="list-style-type: none"> <li>Implemented a vetting process by which proposed information to be posted to member websites, domains, social media platforms, or any Internet or network outlet will be evaluated to ensure compliance with DEI Law.</li> </ul>	<p align="center"><b>Y</b></p>	<p>Linda Moon Assistant Director Communications/ Marketing Agency HQ College Station</p>	<p>Developed and implemented Administrative Procedure 10.27 DEI Law Compliance, which includes monitoring procedures for Communications staff to review for and address any DEI content in agency website and social media site content and links. Developed and issued a DEI Law Compliance Leadership Guide to increase awareness and help ensure compliance.</p>	<p align="center"><b>5/14/2024</b></p>
<p align="center"><b>INTERNAL CONTROLS &amp; MONITORING</b></p>				
<p><b>Internal Controls &amp; Monitoring:</b> Determine whether the member has removed prohibited diversity, equity, and inclusion related rules, developed, and implemented operating procedures, and implemented internal controls according to DEI Law and A&amp;M System Policy 08.01.</p>				
<ul style="list-style-type: none"> <li>Reviewed and identified member rules and operating procedures in place that are not compliant with DEI Law and took action to ensure compliance.</li> </ul>	<p align="center"><b>Y</b></p>	<p>Chris Powell Policy &amp; Review Coordinator Agency HQ College Station</p>	<p>Conducted a search of the agency's current rules, administrative procedures, guidelines, and forms, and confirmed that they are all compliant with the DEI Law.</p>	<p align="center"><b>5/14/2024</b></p>
<ul style="list-style-type: none"> <li>Developed and implemented operating procedures to ensure continued compliance with DEI Law.</li> </ul>	<p align="center"><b>Y</b></p>	<p>Chris Powell Policy &amp; Review Coordinator Agency HQ College Station</p>	<p>Developed and implemented Administrative Procedure 10.27 DEI Law Compliance, which includes monitoring procedures to ensure DEI Law compliance. Developed and issued a DEI Law Compliance Leadership Guide to increase awareness and help ensure compliance.</p>	<p align="center"><b>5/14/2024</b></p>
<ul style="list-style-type: none"> <li>Implemented internal controls including assignment of monitoring responsibilities, procedures for training, and processes for disseminating information to stakeholders to ensure compliance with DEI Law.</li> </ul>	<p align="center"><b>Y</b></p>	<p>Chris Powell Policy &amp; Review Coordinator Agency HQ College Station</p>	<p>Developed and implemented Administrative Procedure 10.27 DEI Law Compliance, which includes assignment of monitoring responsibilities, training, and information dissemination. Developed and issued a DEI Law Compliance Leadership Guide to increase awareness and help ensure compliance.</p>	<p align="center"><b>5/14/2024</b></p>
<ul style="list-style-type: none"> <li>Developed a compliance response and reporting process to address issues of noncompliance with DEI Law.</li> </ul>	<p align="center"><b>Y</b></p>	<p>Chris Powell Policy &amp; Review Coordinator Agency HQ College Station</p>	<p>Developed and implemented Administrative Procedure 10.27 DEI Law Compliance, which includes a compliance response and reporting process to address issues of noncompliance with the DEI Law.</p>	<p align="center"><b>5/14/2024</b></p>

<ul style="list-style-type: none"> <li>Identified procedures for disciplinary action/sanctioning for violations of DEI Law.</li> </ul>	<b>Y</b>	Chris Powell Policy & Review Coordinator Agency HQ College Station	Developed and implemented Administrative Procedure 10.27 <i>DEI Law Compliance</i> , which includes procedures for disciplinary action/sanctioning for violations of the DEI Law.	<b>5/14/2024</b>
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**SUMMARY OF FINDINGS: (to be completed by SECO/OGC)**

\_\_\_\_\_ Meets compliance

\_\_\_\_\_ Meets compliance after implementing recommendations

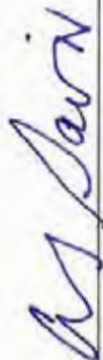
\_\_\_\_\_ Factors preventing compliance as agency/institute of higher learning has not implemented recommendations on statutory/regulatory requirements

**SIGNATURES**

  
\_\_\_\_\_  
Compliance Officer

5/14/2024  
\_\_\_\_\_  
Date

Approved by:

  
\_\_\_\_\_  
Chief Executive Officer

5/14/2024  
\_\_\_\_\_  
Date



# TEXAS A&M FOREST SERVICE

## DEI Law Certification of Compliance

### CHIEF EXECUTIVE OFFICER ACKNOWLEDGEMENT

Member Institution/Agency: Texas A&M Forest Service

Chief Executive Officer: Al Davis

I certify, under penalty of perjury and the loss of funding to Texas A&M Forest Service, that Texas A&M Forest Service has complied with the requirements in Tex. Educ. Code § 51.3525:

*AD* certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(A), this institution does not, except as required by federal law, have any office, division or unit with the established purpose of:

- influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;
- promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
- promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or
- conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by this institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

*AD* certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(B), this institution has not, except as required by federal law, hired or assigned an employee of the institution, or contracted with a third party to perform the duties of a diversity, equity, and inclusion office as defined in Tex. Educ. Code § 51.3525(a).

*BSA* certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(C), this institution does not, except as required by federal law, compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

*BSA* certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(D), this institution does not, except as required by federal law, give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

*BSA* certify, in accordance with Tex. Educ. Code § 51.3525(b)(1)(E), this institution does not, except as required by federal law, require any person, as a condition of enrolling at the institution or performing any institution function, to participate in diversity, equity, and inclusion training, which includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless the training meets the exception in Tex. Educ. Code § 51.3525(b)(1)(E)(ii).

*BSA* certify, in accordance with Tex. Educ. Code § 51.3525(b)(2), that this institution has adopted policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Tex. Educ. Code § 51.3525(b)(1)(A)-(E).

*BSA* I certify, in accordance with Tex. Educ. Code § 51.3525(e), that no state appropriations to this institution for 2025 have been spent prior to submission of this certification report to the Legislature and the Texas Higher Education Coordinating Board.

*BSA* I understand the State Auditor's Office will conduct a compliance audit for this institution and if violations of Tex. Educ. Code § 51.3525 are found, this institution must cure the violation within 180 days or become ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

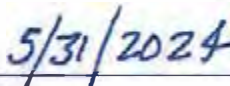
*BSA* I understand all complaints regarding any violations made by this institution will be sent to the State Auditor's Office for review.

To ensure full compliance with Tex. Educ. Code § 51.3525, in the past fiscal year Texas A&M Forest Service has conducted the following:

- Conducted a review of all programs and activities, offices, personnel, and training sessions for potential violations of Tex. Educ. Code § 51.3525 and discontinued those found to be in violation.
- Updated *The Texas A&M University System Policy 08.01 Civil Rights Protection and Compliance* to reflect additions to Tex. Educ. Code § 51.3525 which was adopted by the Board of Regents in August 2023.
- Developed and implemented operating procedures in line with the updated System policy and The Texas A&M University System D.E.I. Compliance Operational Manual to facilitate on-going compliance with Tex. Educ. Code § 51.3525. See attached compliance checklist as supporting documentation.
- Participated in an audit review by The Texas A&M University System Department of Internal Audit with the objective of evaluating actions taken by the institution to ensure compliance with Tex. Educ. Code § 51.3525.

Failure to return a certification form to the Texas Higher Education Coordinating Board by September 1, 2024, will be considered an act of non-compliance with the law and can subject the above referenced institution to all penalties allowed by law.

  
\_\_\_\_\_  
Signature of Institution President/CEO

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Board Chair

  
\_\_\_\_\_  
Date

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Alphonse G. Davis, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.



\_\_\_\_\_  
Signature

08/14/2024  
Date

Please check one:

- President
- Board Chair

UNIVERSITIES

- Texas A&M University
- Texas A&M University at Galveston
- Texas A&M Health Science Center
- Prairie View A&M University
- Texas A&M University-Commerce
- Tarleton State University
- West Texas A&M University
- Texas A&M University-Kingsville
- Texas A&M University-Corpus Christi
- Texas A&M International University
- Texas A&M University-Texarkana
- Texas A&M University-Central Texas
- Texas A&M University-San Antonio



AGENCIES

- Texas A&M AgriLife Research
- Texas A&M Engineering Experiment Station
- Texas A&M Forest Service
- Texas A&M AgriLife Extension Service
- Texas A&M Engineering Extension Service
- Texas A&M Transportation Institute
- Texas A&M Veterinary Medical Diagnostic Laboratory
- Texas Division of Emergency Management

OTHER MEMBER INSTITUTIONS

- Texas A&M-RELLIS
- Texas A&M-Fort Worth

# Board of Regents

## THE TEXAS A&M UNIVERSITY SYSTEM

**ELECTRONIC SIGNATURE ACKNOWLEDGEMENT AND CONSENT FORM**

I, Bill Mahomes, agree and understand that by signing the Electronic Signature Acknowledgment and Consent Form, that all electronic signatures are the legal equivalent of my manual/handwritten signature and I consent to be legally bound to this agreement. I further agree my signature on this document is as valid as if I signed the document in writing. This is to be used in conjunction with the use of the electronic signature for the submission of the SB17 Annual Certification required by 51.3525(e) that I elected to have signed electronically. Under penalty of perjury, I herewith affirm that my electronic signature was signed by myself with full knowledge and consent and am legally bound to these terms and conditions.

*William Mahomes*  
Signature

August 16, 2024  
Date

Please check one:

- President
- Board Chair