

**MEMORANDUM OF AGREEMENT
BETWEEN THE TEXAS ARMY
NATIONAL GUARD (TXARNG)
AND THE UNIVERSITY OF
TEXAS (UT) FOR
RESOURCING THE CREDENTIALING
ASSISTANCE PROGRAM (CAP)
FY22-26
MOA (W912L1, TXTCC, 22143.002)**

This is a Memorandum of Agreement (MOA) between Texas Army National Guard (first party) and The University of Texas at Austin, on behalf of TEXAS Extended Campus - Center for Professional Education (CPE) (second party). When referred to collectively, the TXARNG and UT are referred to as the "parties".

1. **BACKGROUND.** See enclosures for Army Credentialing Assistance Program (CAP). CAP is equivalent to Tuition Assistance, allowing eligible military members to register for credentialing programs. Eligible military students coordinate for CAP payment for training, books, and associated fees directly to the academic institution. CPE program(s) are designed to prepare an individual student to obtain a detailed understanding of credentialing and certificate program concepts and principles. The goal of these courses is to provide students with the educational requirements and knowledge essential to sit for the associated certification examination and obtain certification all at no cost to the Soldier using the Army's Credentialing Assistance Program.

2. **AUTHORITY.** NGR 5-2 Support Agreements.

3. **PURPOSE.** To define the roles and responsibilities in regards to the Project Management Certificate Program (PMPC), Human Resources Manager (HRM), and Certified Personal Trainer (CPT) that CPE will conduct at TMD Facilities across the state for the primary benefit of Texas National Guard Members. It is agreed that there may be up to four (4) resident programs and/or up to four (4) distance learning programs per fiscal year for each credential. Additional programs or courses may be added if TMD and CPE agree that there is a demand and capability to conduct additional courses.

4. **RESPONSIBILITIES OF THE PARTIES.**

4.1. TMD Education and Incentives (E&I):

4.1.1. TMD E&I office will serve as the point of contact for CPE and the programs to be conducted.

4.1.2. TMD E&I will coordinate reservations of space with TMD Facilities for scheduled course dates NLT 90 days before scheduled course start date(s) and maintain responsibilities as the tenant sponsor (responsibilities include safekeeping of door codes or facility keys, oversight during / after use, and accountability of facilities and equipment).

4.1.3. TMD E&I will ensure the following priorities for the restricted

audience of all CPE programs held on TMD property (DoD ID cardholders or employees of TMD only):

- (a) Texas National Guard members
- (b) Other eligible Army CAP recipients
- (c) TMD employees

- 4.1.4. TMD E&I office will provide program schedule, enrollment, and funding information to individuals interested in pursuing CAP courses.
- 4.1.5. TMD E&I office will display posters, course brochures, and schedule information as required to communicate effectively with personnel who may be interested in the training. (i.e. bulletin boards, Facebook account, websites, etc.). This should also include the maintenance of a contact list of individuals interested in taking this training course through the Army CAP.

4.2. TXARNG or Facility OIC:

- 4.2.1. TXARNG or Facility OIC will assist CPE with coordination for reservations of training facility and classroom space that includes internet capability and audio-visual equipment for the purpose of conducting resident programs. Primary location on Camp Mabry will be Building 82 classrooms and alternate location will be Building 15 classrooms.
- 4.2.2. TXARNG or Facility OIC will provide access to the military base and training facilities based on force protection requirements and Joint Forces Headquarters Texas operational requirements; current and valid form of government-issued identification is required for access.
- 4.2.3. TXARNG or Facility OIC will provide access to space with internet capability to support the instructors and student access to the online practice exam simulator. TXARNG will not provide computers nor allow network access to non-TXARNG personnel.
- 4.2.4. Fees for use of TXARNG facilities and classroom space is waived for the purposes of conducting CPE programs.
- 4.2.5. As operational military facilities, TXARNG reserves the right to cancel or postpone utilization of facilities due to emergencies or extreme circumstances as determined by the Adjutant General. As soon as possible, parties will return to normal operations as outlined by this memorandum.

4.3. The University of Texas at Austin, on behalf of TEXAS Extended Campus - Center for Professional Education (CPE):

- 4.3.1. CPE will coordinate with TMD E&I in writing for scheduled

course dates NLT 90 days before scheduled course start date(s).

- 4.3.2. CPE is responsible for returning any classroom and/or facility areas and equipment to the condition in which it was accepted or pay for any damages as assessed by TMD.
- 4.3.3. CPE will facilitate the program(s) as outlined below:
- 4.3.4. CPE will provide an instructor for a minimum number of 12 students and a maximum of 30 students per class.
- 4.3.5. Program(s) will consist of a required number of training hours conducted on weekday days or evenings at an agreed to day and time, usually in 4-hour or less increments for up to fourteen weeks, with an additional recommended number of hours of online exam practice by students on their own time.
- 4.3.6. Consisting of classroom lecture, practical exercises, lesson study, class discussion, classroom quizzes, and online exam practice.
- 4.3.7. CPE will provide at least 2 tuition free seats in each class for federal and federally reimbursed civilian employees of the Texas National Guard. Seats will include all provisions outlined in paragraph 4.4.

4.4. CPE will provide each student:

- 4.4.1. A personal copy of required text books and instructional materials for the course.
- 4.4.2. A CPE Student Workbook containing important class handouts and practical exercises to support training as well as the practice test iteration sheets.
- 4.4.3. Access to Dropbox files or UT Box files developed by CPE to aid in exam preparation and support classroom instruction.
- 4.4.4. Practice Examination support including practice quizzes and Examinations.
- 4.4.5. Assistance with preparation of the examination application up to 90 days after the completion of the program.
- 4.4.6. CPE reserves the right to change and update training materials as course requirements or certification requirements change to maintain the quality and integrity of the course.

5. General Provisions.

- 5.1. POINTS OF CONTACT (POCs). The following POCs will be used by the Parties to communicate matters concerning this MOA. Each Party may change its point of contact upon reasonable notice to the other Party.

5.1.1. For the TXARNG –

5.1.1.1. TXARNG Primary POC – LTC
Casey Shaw, 512-782-5178,
casey.r.shaw3.mil@army.mil
TEXAS MILITARY DEPARTMENT
HEADQUARTERS, TRAINING CENTER GARRISON COMMAND
2200 West 35th Street, Building 36,
Camp Mabry (Austin), Texas 78763-5218

5.1.2. For the TMD E&I:

5.1.2.1. TMD E&I Primary POC – Mary Lantz, 512-782-1016
Mary.d.lantz2.civ@army.mil
2200 West 35th Street, Building 15,
Camp Mabry (Austin), Texas 78763-5218

5.1.2.2. TMD E&I Secondary POC- MAJ Sheri Glenn,
512-782-5745, Sheri.glenn2.mil@army.mil
2200 West 35th Street, Building 15,
Camp Mabry (Austin), Texas 78763-5218

5.1.3. For UT:

5.1.3.1. UT CPE Primary POC – David Berlad,
512-232-6006, d.berlad@austin.utexas.edu
1616 Guadalupe St., Suite 2.408, Austin, TX 78701

5.1.3.2. UT CPE Secondary POC – Liliya A. Spinazzola
512-232-2230, lspinazzola@austin.utexas.edu
1616 Guadalupe St., Suite 2.408, Austin, TX 78701

5.2. CORRESPONDENCE. All correspondence to be sent and notices to be given pursuant to this MOA will be addressed, if to the TXARNG POC –

5.2.1. HEADQUARTERS, TRAINING CENTER GARRISON COMMAND
2200 West 35th Street, Building 36, Camp Mabry (Austin), Texas
78763-5218

5.2.2. TMD E&I, 2200 West 35th Street, Building 15, Camp Mabry
(Austin), Texas 78763-5218

And, if to the E&I POC-

5.2.3. UT CPE, 1616 Guadalupe St., Suite 2.408, Austin, TX 78701

Or as may from time to time otherwise be directed by the Parties.

5.3 REVIEW OF AGREEMENT. This MOA will be reviewed annually on or around the anniversary of its effective date for financial impacts and needed changes.

- 5.4 MODIFICATION OF AGREEMENT. The agreement can only be modified or cancelled, in writing, by the mutual consent of all parties.
- 5.5 DISPUTES. Any disputes relating to this MOA will, subject to any applicable law, Executive Order, Directive, or Instruction, be resolved by consultation between the parties or in accordance with DoDI 4000.19 and Chapter 2260 of the Texas Government Code.
 - 5.5.1. APPLICABLE LAW. The construction, interpretation and enforcement of this MOA shall be governed by the laws of the State of Texas. Venue shall be the Judicial District of Travis County Texas.
- 5.6. TERMINATION OF AGREEMENT. This MOA may be terminated, without cause, by either party upon thirty (30) day written notice to the other party, delivered by certified mail or delivered by hand to the address listed above. In the event of termination of this MOA by either party, both parties agree to make every effort to ensure students already enrolled in programs prior to the date of termination are permitted to complete their program.
- 5.7. TRANSFERABILITY. This agreement is not transferable except with the written consent of all parties.
- 5.8. ENTIRE AGREEMENT. This MOA, consisting of seven pages, represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements, whether written or oral.
- 5.9. EFFECTIVE DATE. The agreement becomes effective upon the date last signed by the authorized approving officials below.
- 5.10. EXPIRATION DATE. This agreement expires on 30 September 2026 with an annual review. This agreement can be renewed every three (3) years upon written consent of all parties.

6. FINANCIAL DETAILS.

- 6.1. AVAILABILITY OF FUNDS It was determined TXARNG facility usage fees total annual facility costs (based on 4 resident programs in Building 82) of \$1,918. To offset the costs, the University of Texas will offer 2 seats per class on base to be used for Texas National Guard employees which includes but is not limited to Title 5, Title 32, and State federally reimbursed employees who would like to participate in the PMP program throughout the year. The maximum seats given to the Texas National Guard is 8 per year.

6.2 FINANCIAL SPECIFICS:

6.2.1. For non-government entities, reimburse the TXARNG for the full amount as outlined in this MOA. Funds will be provided via a cashier's check, business check or money order (**NO PERSONAL CHECKS ACCEPTED**) made payable to: **TEXAS MILITARY DEPARTMENT, prior to 30 days from training date**. Forward method of payment and a copy of the signed MOA to the following address:

CONSTRUCTION AND FACILITIESMANAGEMENT OFFICE(CFMO)

ATTN: RESOURCE MANAGEMENT SECTION

2200 W. 35TH STREET – BLDG #38

AUSTIN, TX 78703

PHONE – 512-782-1115

EMAIL: ng.tx.txarng.list.cfmo-rm@army.mil

AGREED: The undersigned has the authority to obligate the Parties included within the MOA and hereby agrees with all terms and conditions herein:

FOR THE TXARNG TCGC:


Digitally signed by
SHAW, CASEY, RYAN 1135476384
Date: 2022.07.26 12:42:18 -0500

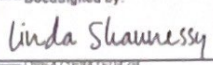
Signature

CASEY R. SHAW
LTC, AR, TXARNG
Training Center Garrison Command

22 July 2022

(Date)

FOR UT CPE:

DocuSigned by:


Signature

LINDA SHAUNESSY
Business Contracts Administrator
UT

2022-07-22 | 11:10:21 PDT

(Date)

TRISTAN.SER Digitally signed by
TRISTAN.SERGIO.LIN
GIO.LINO.10 O.1088782441

Signature Date: 2022.08.26
14:14:46 -05'00'

GENERAL COUNSEL

(Date)

JOHNSON.MARVIN Digitally signed by
JOHNSON.MARVIN.DALE.1109
N.DALE.1109158 158158

Signature Date: 2022.08.26 14:26:34
05'00'

MARVIN D. JOHNSON
COL, NGB
USPFO for Texas

(Date)

Mid-Point Review Due Date: ~~18 July 2023~~ 20 SEP 23

Mid-Point Review Completed by: JOHNSON, PHILLIP 
(Signature and Name of Reviewer)

ENCL
FY22 Credentialing Assistance
<https://tmd.texas.gov/Data/Sites/1/media/education/2021/oct/05.-credentialing-assistance.pdf>