



**AGENDA
FOR MEETING
of
THE UNIVERSITY OF TEXAS SYSTEM
BOARD OF REGENTS**

**February 26, 2019
Austin, Texas**

Tuesday, February 26, 2019

Page

COMMITTEE MEETINGS

9:15-11:40 a.m.

CONVENE THE BOARD IN OPEN SESSION FOR STANDING COMMITTEE
RECOMMENDATIONS AND REPORTS TO THE BOARD AND TO
CONSIDER AGENDA ITEM

11:40 a.m.

**1. U. T. System Board of Regents: Presentation of Certificates of
Appreciation to Members of the Board**

Presentation

6

RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS
GOVERNMENT CODE*, CHAPTER 551 (Working lunch)

12:00 p.m.
approximately

1. Negotiated Contracts for Prospective Gifts or Donations –
Section 551.073

- a. **U. T. System Academic Institutions: Discussion and appropriate
action regarding proposed negotiated gifts, including potential
naming features**
- b. **U. T. System Health Institutions: Discussion and appropriate
action regarding proposed negotiated gifts, including potential
naming features**

2. Consultation with Attorney Regarding Legal Matters or Pending and/or
Contemplated Litigation or Settlement Offers – Section 551.071

- a. **U. T. System Board of Regents: Discussion with Counsel on
pending legal issues**
- b. **U. T. System Board of Regents: Discussion and appropriate
action regarding legal issues concerning pending legal claims
by and against U. T. System**
- c. **U. T. System Board of Regents: Discussion regarding legal
issues concerning policies and procedures for addressing
complaints under Title IX**
- d. **U. T. System Board of Regents: Discussion and appropriate
action regarding legal issues associated with the First
Amendment**
- e. **U. T. Health Science Center - San Antonio: Discussion and
appropriate action regarding legal issues concerning
underpayment of intellectual property royalties and the hiring
of outside legal counsel on a contingent fee basis to provide
representation associated with the matter**

- f. **U. T. Austin: Discussion and appropriate action regarding legal issues related to the utilization of the Brackenridge Tract, including land bounded by the Exposition Boulevard, Lake Austin Boulevard, and Enfield Road, Austin, Travis County, Texas**
3. **Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072**
 - a. **U. T. Austin: Discussion and appropriate action regarding the lease, uses, or value of property related to the Brackenridge Tract, including land bounded by Exposition Boulevard, Lake Austin Boulevard, and Enfield Road, Austin, Travis County, Texas; and finding of public purpose**
 - b. **U. T. Austin: Discussion and appropriate action regarding the ground lease of improved land consisting of a 2.640-acre parcel located at 715 Exposition Boulevard (“Safeway tract”) to H-E-B, LP, and a 0.56-acre parcel (portion of “Deep Eddy” tract) located at 2620 Lake Austin Boulevard to 7-Eleven, Inc., both in the Brackenridge Tract, Austin, Travis County, Texas**
 - c. **U. T. Austin: Discussion and appropriate action regarding the negotiation and execution of an interlocal agreement with the City of Austin, Texas, regarding the relocation of Red River Street between approximately 17th Street and Dean Keeton Street in Austin, Travis County, Texas; the related exchange of land in and near that segment of Red River Street and Robert Dedman Drive, including outparcels as far north as 32nd Street; the granting of utility easements; and the construction of the relocated road and utilities for the new arena**
 - d. **U. T. Rio Grande Valley: Discussion regarding potential acquisition or use of real property in Pharr, Hidalgo County, Texas**
4. **Individual Personnel Matters Relating to Officers or Employees – Section 551.074**
 - a. **U. T. Southwestern Medical Center: Discussion and appropriate action regarding proposed compensation for**
 - **Michael E. Jessen, M.D., tenured Professor and Chair of the Department of Cardiovascular and Thoracic Surgery;**
 - **Anthony V. Maioriello, M.D., M.S., FAANS, FACS, nontenured Assistant Professor of Neurological Surgery; and**
 - **Louis A. Whitworth, M.D., nontenured Professor of Neurological Surgery****(Regents’ Rules and Regulations, Rule 20204, regarding compensation for highly compensated employees)**
 - b. **U. T. Health Science Center - Houston: Discussion and appropriate action regarding proposed compensation for Anthony L. Estrera, M.D., FACS, Professor and Chief of Cardiac Surgery, Department of Cardiothoracic and Vascular Surgery (Regents’ Rules and Regulations, Rule 20204, regarding compensation for highly compensated employees)**

- c. **U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed compensation for Rosanna Morris, MBA, BSN, RN, Chief Operating Officer (Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees)**
 - d. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions); U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (such as Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U. T. System and institutional employees**
 - e. **U. T. System: Discussion and appropriate action regarding personnel matters concerning employees in the Office of Facilities Planning and Construction**
 - f. **U. T. System: Discussion and appropriate action regarding assignment and duties of Executive Vice Chancellor for Business Affairs concerning responsibilities associated with the revenue flow for the U. T. System Building**
 - g. **U. T. System Board of Regents: Discussion and appropriate action regarding the evaluation of responsibilities and expectations of members of the Board [Regents' *Rules and Regulations*, Rule 10101 (Board Authority and Duties), Section 4 (Board Self-Evaluation)]**
 - h. **U. T. Rio Grande Valley: Discussion with president regarding assignment and duties, including individual responsibilities regarding the institution's clinical enterprise**
5. Deliberation Regarding Security Devices or Security Audits – Sections 551.076 and 551.089

U. T. System Board of Regents: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS AND TO CONSIDER AGENDA ITEMS

4:30 p.m.
approximately

- 2. **U. T. System Board of Regents: Approval of Consent Agenda and consideration of any items referred to the full Board** Action 7
- 3. **U. T. System Board of Regents: Discussion and appropriate action regarding amendments to Regents' *Rules and Regulations*, Rule 40303 (Admissions Procedures for U. T. Institutions), Section 2.2, regarding undergraduate admission of the top 25 percent of a high school graduating class** Action 8

		Page
4. U. T. System Board of Regents: Discussion and appropriate action regarding proposed amendment to Regents' <i>Rules and Regulations</i>, Rule 40901 (Charter Schools), Section 3, regarding notice of meetings	Action	9
5. U. T. System Board of Regents: Presentation of Certificate of Appreciation to Executive Vice Chancellor Greenberg	Presentation	10
ADJOURN	<i>5:00 p.m. approximately</i>	

1. **U. T. System Board of Regents: Presentation of Certificates of Appreciation to Members of the Board**

2. **U. T. System Board of Regents: Approval of Consent Agenda and consideration of any items referred to the full Board**

RECOMMENDATION

The Board will be asked to approve the [Consent Agenda](#) and may discuss any items referred for consideration by the full Board.

3. **U. T. System Board of Regents: Discussion and appropriate action regarding amendments to Regents' Rules and Regulations, Rule 40303 (Admissions Procedures for U. T. Institutions), Section 2.2, regarding undergraduate admission of the top 25 percent of a high school graduating class**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Rule 40303 (Admissions Procedures for U. T. Institutions), Section 2.2, regarding undergraduate admission of the top 25 percent of a high school graduating class, be amended as set forth below in congressional style:

- 2.2 Automatic Admission of Top 25 Percent Delegated to President. The Board delegates to the president of each general academic institution the responsibility to annually determine whether automatic admission to undergraduate programs shall be granted to those students who graduate in the top 25 percent of their graduating class, pursuant to *Texas Education Code* Section 51.804. ~~If a change in the admissions policy were proposed, Board of Regents' approval would follow established procedures for administrative approval and inclusion in the Consent Agenda.~~ Any change to an admissions policy under this Subsection shall be reported to the Executive Vice Chancellor for Academic Affairs prior to adoption.

BACKGROUND INFORMATION

Regents' Rule 40303 outlines admissions procedures to be used by U. T. institutions. Section 2.2 permits an institutional president to determine whether automatic admission to the institution will be granted to those graduating in the top 25 percent of their high school class. The proposed amendment would allow the president to also change that determination, after reporting the change to the Executive Vice Chancellor for Academic Affairs, without having to obtain Board approval. Currently, U. T. El Paso and U. T. San Antonio are the only two institutions that grant automatic admission under this provision.

These revisions do not impact the full-time equivalent (FTE) employee count Systemwide and are budget neutral. The proposed amendments were reviewed by the U. T. institutional presidents and representatives of the Student Advisory Council, the Faculty Advisory Council, and the Employee Advisory Council.

4. **U. T. System Board of Regents: Discussion and appropriate action regarding proposed amendment to Regents' Rules and Regulations, Rule 40901 (Charter Schools), Section 3, regarding notice of meetings**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel that Regents' *Rules and Regulations*, Rule 40901 (Charter Schools), Section 3, regarding notice of meetings, be amended as set forth below in congressional style:

Sec. 3 Advisory Council. A board or council may be appointed by the president to advise him or her on operation of the charter school. The board or council will comply with all provisions of the Texas Open Meetings Act applicable to ~~the Board of Regents a~~ school district board of trustees.

BACKGROUND INFORMATION

Regents' Rule 40901 allows for the creation of a charter school, as authorized by *Texas Education Code*, Chapter 12, if it furthers the institutional mission. The oversight and supervision of charter schools is delegated to the appropriate institutional president.

Four charter schools currently exist at three U. T. System institutions: the U. T. Elementary School and the U. T. University Charter School at U. T. Austin, the University of Texas at Tyler Innovation Academy at U. T. Tyler, and the U. T. Permian Basin STEM Academy at U. T. Permian Basin.

Under the current Rule, a president's charter school advisory council must comply with all provisions of the Texas Open Meetings Act applicable to the Board of Regents, including the requirement to provide public notice of each meeting by posting the meeting notice with the Office of the Secretary of State, which requires coordination with the Board Office. The proposed revision would allow the council to comply with the Act's provisions applicable to a school district board of trustees, which would require posting notice of the meeting in the charter school district's administrative office, rather than with the Secretary of State.

This revision does not impact the full-time equivalent (FTE) employee count Systemwide and is budget neutral. The proposed amendment was reviewed by the U. T. institutional presidents and representatives of the Student Advisory Council, the Faculty Advisory Council, and the Employee Advisory Council.

5. **U. T. System Board of Regents: Presentation of Certificate of Appreciation to Executive Vice Chancellor Greenberg**