



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

February 21-22, 2024
Austin, Texas

Wednesday, February 21, 2024

CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551

1:00 p.m.

1. Individual Personnel Matters Relating to Officers or Employees – Section 551.074
 - a. **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 including interim presidents); U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U. T. System and institutional employees**
 - b. **U. T. Permian Basin: Discussion with president regarding individual duties and responsibilities associated with the possible expansion of U. T. Permian Basin's Midland Campus**
2. 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**
3. 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. M. D. Anderson Cancer Center: Discussion and appropriate action regarding legal issues related to a) approval of an agreement with Cures Accelerator LLC regarding technology development; b) delegation of authority to execute related documents, including a Participation Agreement, and to take other action necessary; c) finding of adequate fair market value; and d) finding of public purpose**

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS, TO CONSIDER OPEN SESSION ITEMS, AND TO CONVENE COMMITTEE MEETINGS

1:45 p.m.

Wednesday, February 21, 2024 (cont.)

Page

PUBLIC HEARING OPPORTUNITY, PURSUANT TO *TEXAS EDUCATION CODE* SECTION 54.0513, REGARDING PROPOSED CHANGE IN TUITION AND FEE RATES FOR THE DOCTOR OF NURSE PRACTITIONER IN NURSE ANESTHESIA DEGREE PROGRAM AT U. T. HEALTH SCIENCE CENTER - HOUSTON

2:00 p.m.

1. **U. T. System: Update regarding transition of Stephen F. Austin State University into The University of Texas System**
2. **U. T. System: Report on development performance for the U. T. Institutions**

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COMMITTEE MEETINGS

2:45 p.m. – 5:15 p.m.

Thursday, February 22, 2024

CONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS

8:00 a.m.

STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD

8:05 a.m.

3. **U. T. System Board of Regents: Approval of Consent Agenda and consideration of any item referred to the full Board**
4. **U. T. System Board of Regents: Discussion and appropriate action regarding Amendment to Regents' *Rules and Regulations*, to add new Rule 10902, concerning Framework for Research Security Policies, and other actions needed to comply with *Texas Education Code* Section 51.956**
5. **U. T. System Board of Regents: Presentation of Certificate of Appreciation to Director Michael J. Heidingsfield**

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RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551

8:30 a.m.

1. Individual Personnel Matters Relating to Officers or Employees – Section 551.074
 - a. **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 including interim presidents); U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U. T. System and institutional employees**

Thursday, February 22, 2024 (cont.)

- b. U. T. Arlington: Discussion with president regarding individual duties and responsibilities associated with strategic issues related to real property and campus expansion**
- 2. 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**
- 3. 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. Austin: Discussion and appropriate action regarding legal issues related to the extension of the ground lease to the West Austin Youth Association, located at 1314 Exposition Boulevard, Austin, Travis County, Texas and related finding of public purpose**
 - d. U. T. Austin: Discussion and appropriate action regarding legal issues associated with ground lease of approximately 1.64 acres of improved land and related agreements with The 2033 Higher Education Development Foundation, which will enter into a development contract with Balfour Beatty Campus Solutions, LLC or a subsidiary thereof, for an approximately 1,000-bed undergraduate student housing complex at 2610 Whitis Avenue, Austin, Travis County, Texas, and related finding of public purpose**
- 4. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072
 - a. U. T. Austin: Discussion and appropriate action regarding extension of the ground lease to the West Austin Youth Association, located at 1314 Exposition Boulevard, Austin, Travis County, Texas and related finding of public purpose**

Thursday, February 22, 2024 (cont.)

- b. U. T. Austin: Discussion and appropriate action regarding entering into a ground lease of approximately 1.64 acres of improved land and related agreements with The 2033 Higher Education Development Foundation, which will enter into a development contract with Balfour Beatty Campus Solutions, LLC or a subsidiary thereof, for an approximately 1,000-bed undergraduate student housing complex at 2610 Whitis Avenue, Austin, Travis County, Texas; resolution regarding parity debt; and finding of public purpose**
- c. U. T. San Antonio: Discussion and appropriate action regarding the grant of an exclusive option to purchase or lease to the City of San Antonio real property and improvements comprised of approximately 13.59 acres and approximately 180,000 square feet of improvements located on the Hemisfair campus at 801 E Cesar E. Chavez Boulevard, San Antonio, Bexar County, Texas, for a potential downtown revitalization project**
- d. U. T. Southwestern Medical Center: Discussion and appropriate action regarding authorization to lease approximately 36 acres of land located at the southeast quadrant of Harry Hines Boulevard and Mockingbird Lane, Dallas, Dallas County, Texas, to Pediatric Health Management Services (PHMS) and/or assigns for the development and operation of a new pediatric hospital, campus, and clinical facilities**

- 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

*10:15 a.m.
approximately*

ADJOURN

*10:30 a.m.
approximately*

1. **U. T. System: Update regarding transition of Stephen F. Austin State University into The University of Texas System**

DISCUSSION

Executive Vice Chancellor Holmes will provide a brief update on the transition of Stephen F. Austin State University into The University of Texas System, using the PowerPoint presentation set forth on the following pages.

Update on Transition of Stephen F. Austin State University into The University of Texas System

Archie L. Holmes Jr., Executive Vice Chancellor

U. T. System Board of Regents Meeting
February 2024



Summary of Major Transition Accomplishments

- Fully incorporated SFA into the Science and Technology Acquisition and Retention (STARs) and Library, Equipment, Repair and Rehabilitation (LERR) programs
- Fully incorporated SFA into the Promise Plus program
- Fully incorporated SFA into Systemwide student mental health and well-being resources, including free telepsychiatry through TimelyCare
- Fully incorporated SFA into U. T. System's agreement with Coursera's Career Academy, making top industry credentials free for students and alumni
- Worked with SFA to develop a plan to advance the forestry program
- Transitioned SFA investments to UTIMCO

Summary of Major Transition Activities in Progress

- National search for a president
- Facilities expansion and renovation within the Arthur Temple College of Forestry and Agriculture, funded by Capital Construction Assistance Project (CCAP) funds from the State of Texas and Permanent University Fund bond proceeds
- Continued integration with U. T. System's:
 - Digital Library
 - Information technology/Information security resources
 - Accounting and financial reporting
 - Advancement

Summary of Major Investments (\$ in Millions)

Investment	FY 2024	FY 2025-27	Total
Transition Support	\$ 5.5	\$ 16.5	\$ 22.0
Forestry Program Support	\$ 0.5	\$ 3.0	\$ 3.5
Promise Plus	\$ 1.0	\$ 3.0	\$ 4.0
Direct Campus Support*	\$ 3.5	\$ 8.6	\$ 12.1
LERR and STARs	\$ 5.0	\$ 15.0	\$ 20.0
Forestry/Ag PUF	\$ 35.0	-	\$ 35.0
Other PUF	\$ 45.0	-	\$ 45.0
TOTAL	<u>\$ 95.5</u>	<u>\$ 46.1</u>	<u>\$ 141.6</u>
* Estimated			

2. **U. T. System: Report on development performance for the U. T. Institutions**

REPORT

Vice Chancellor Safady will report on development performance of the U. T. institutions for Fiscal Year 2023 and make recommendations for advancing philanthropic support, using the PowerPoint presentation set forth on the following pages.

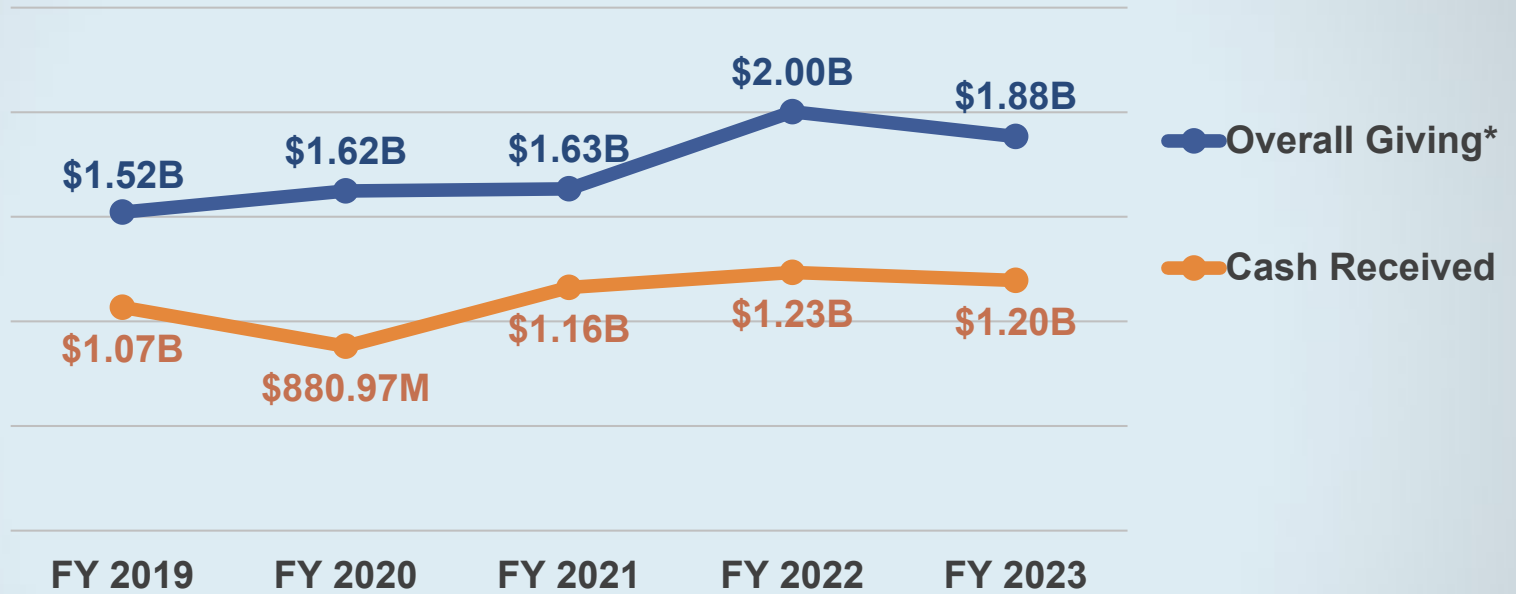
Philanthropic Performance and Outcomes Across U. T. Institutions, FY 2023

Dr. Randa Safady, Vice Chancellor for External Relations, Communications and Advancement Services

U. T. System Board of Regents Meeting
February 2024



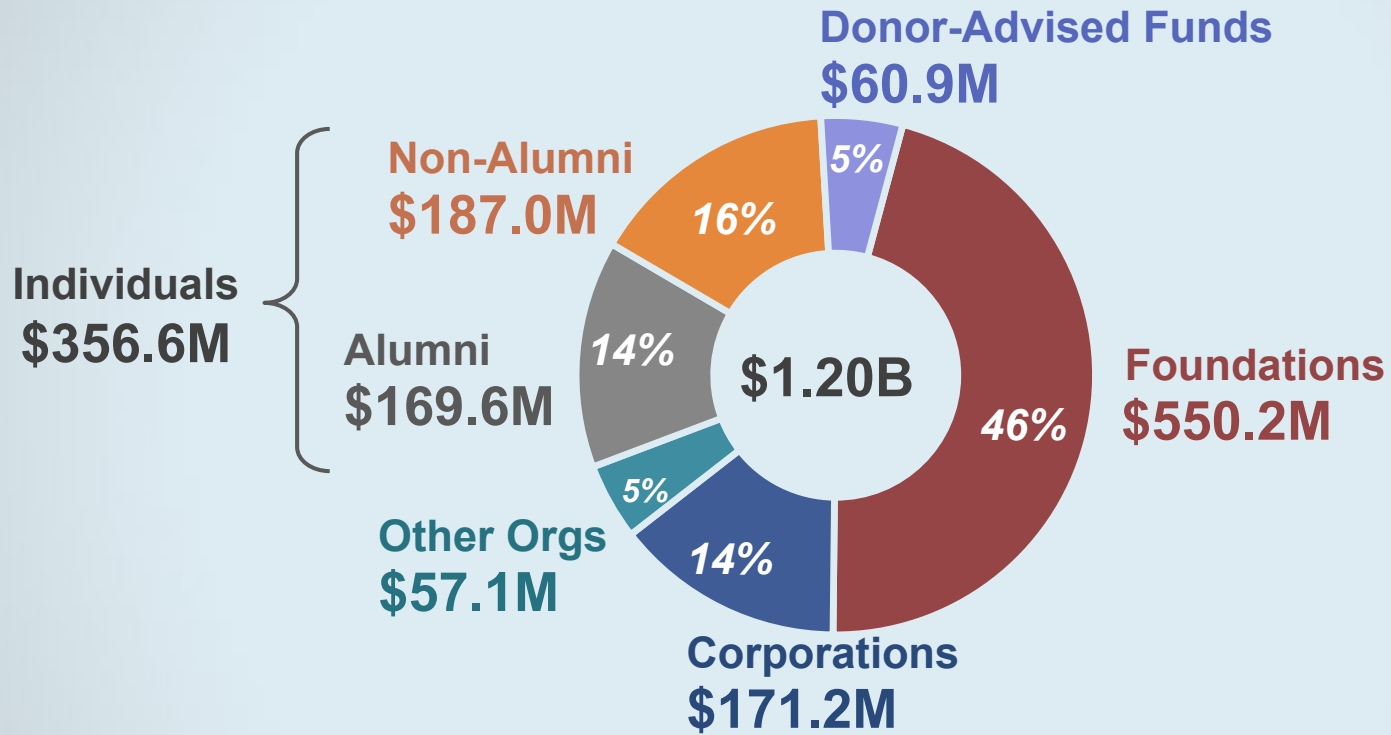
Overall Giving and Cash Received FY 2019-2023



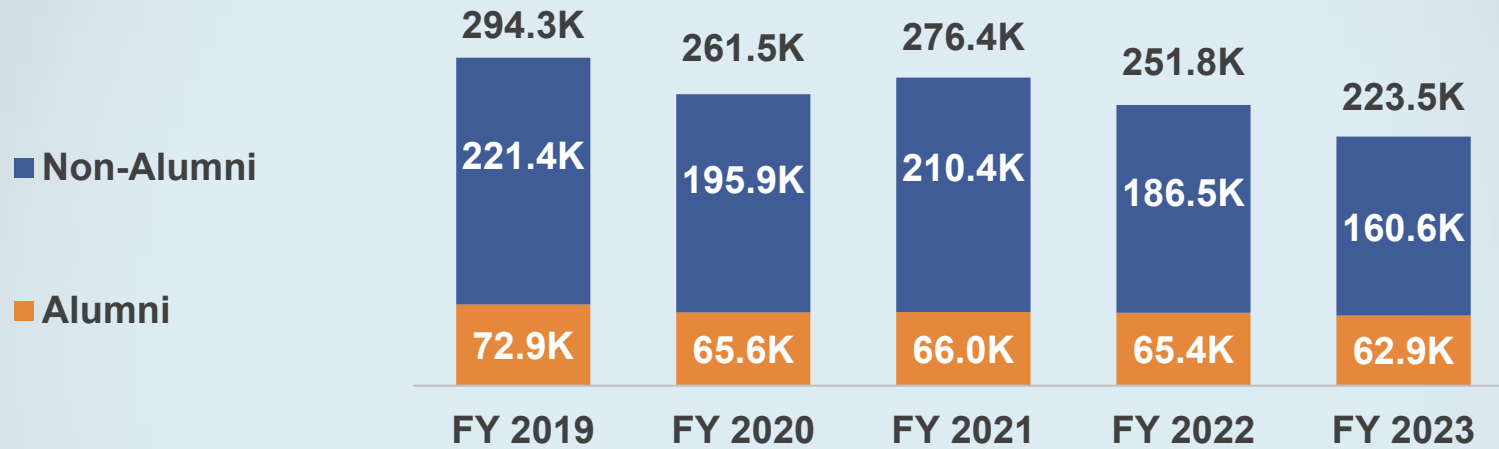
*Overall Giving = cash, new pledges balances, and new testamentary commitments at face value. FY21 and prior displays new testamentary commitments at present value, per previous Voluntary Support of Education (VSE) Survey reporting requirements.



Sources of Cash Gifts in FY 2023



Total Individual Donor Count FY 2019-2023

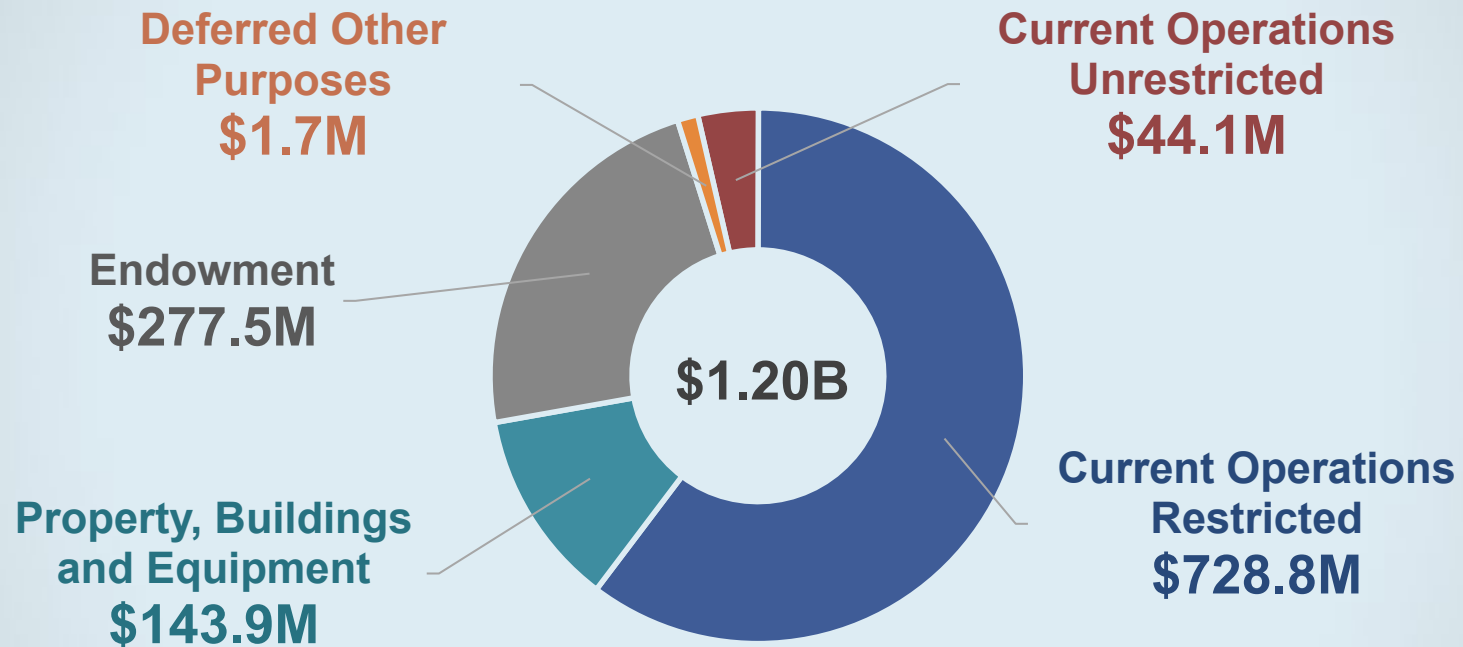


<i>Alumni of Record:</i>	1,457,555	1,514,106	1,549,281	1,626,972	1,864,106
<i>Participation Rate:</i>	5.00%	4.33%	4.26%	4.02%	3.47%

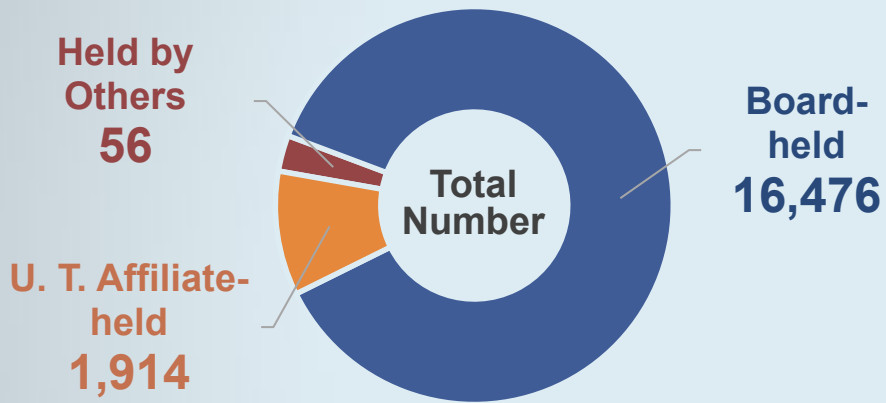
Note: alumni counts for FY21 and prior include alumni spouses, while counts after that year do not, per revised VSE reporting requirements.



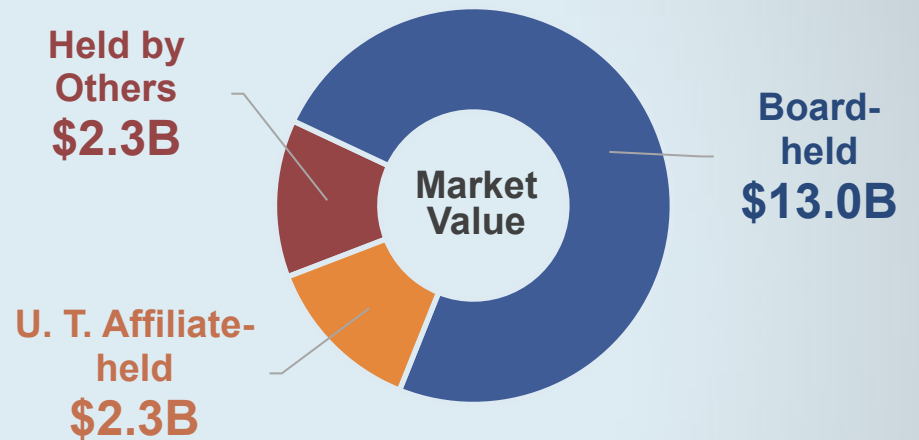
Designation of Cash Gifts in FY 2023



Endowment Status FY 2023

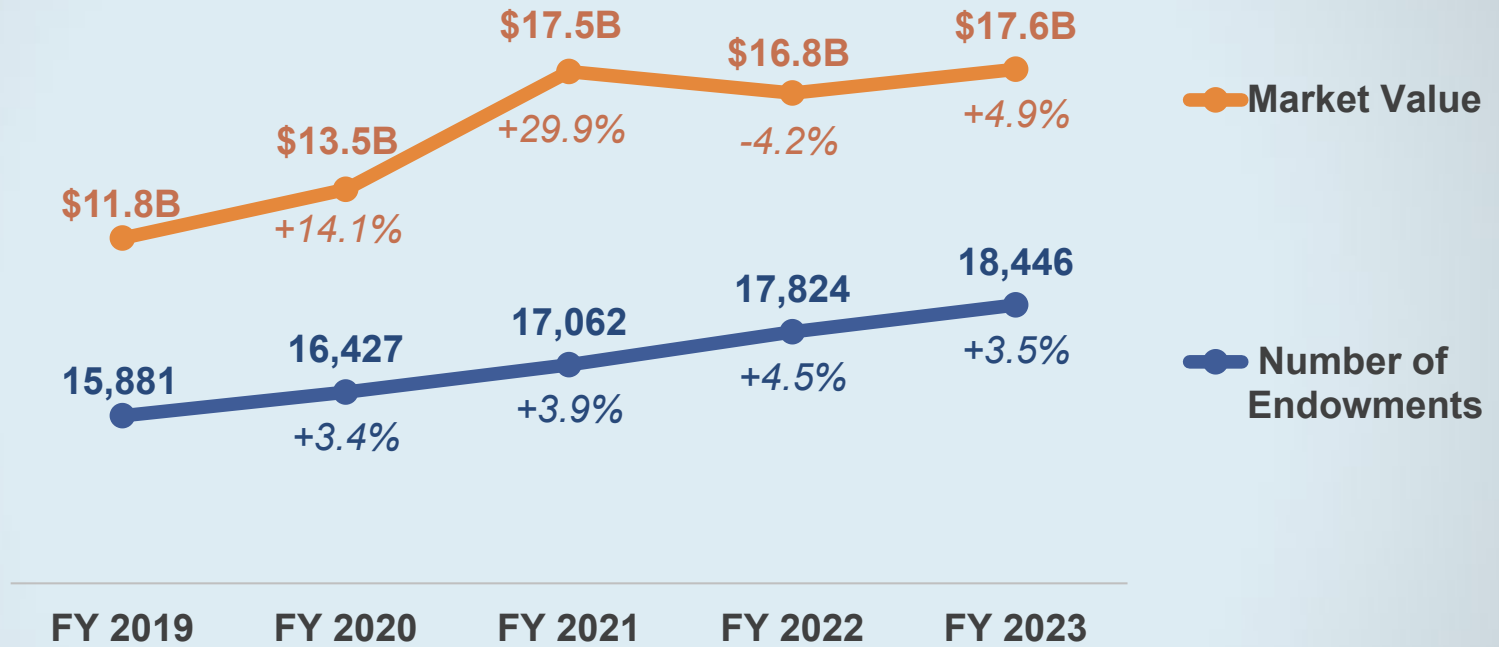


18,446 total endowments held by Board and external entities

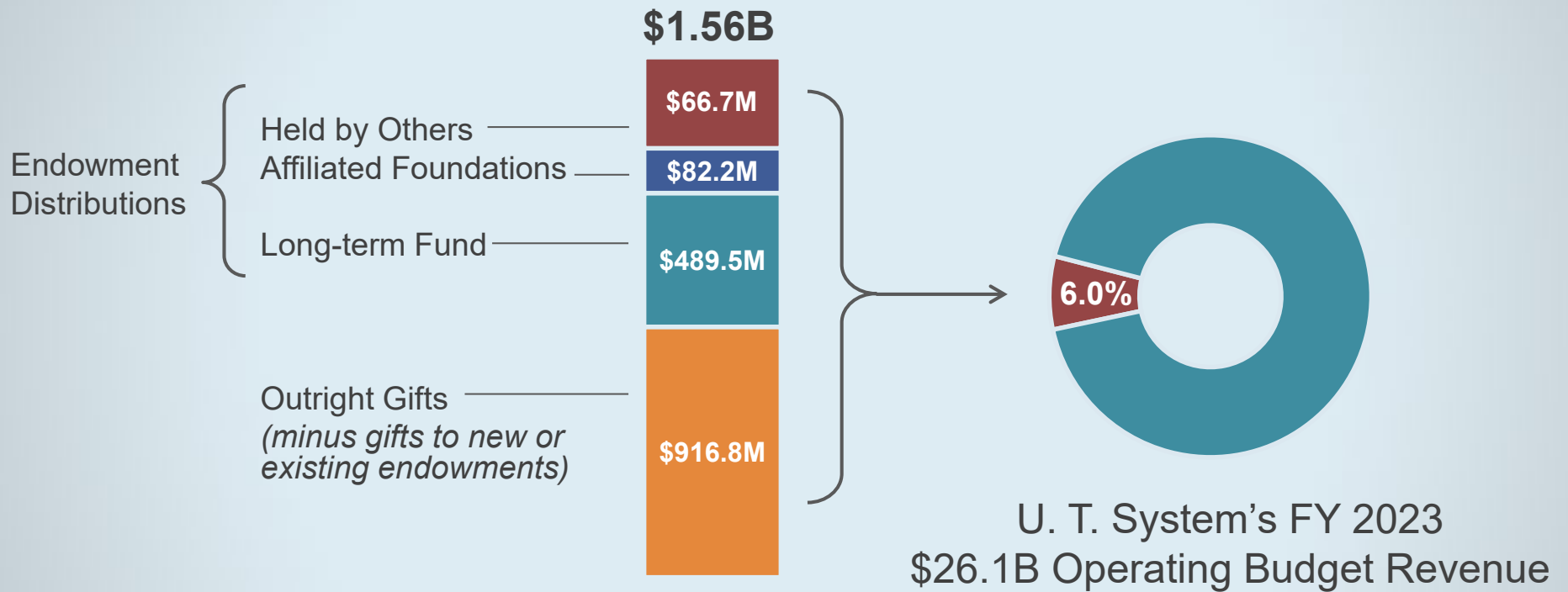


\$17.6 billion in total market value

Endowment Growth FY 2019-2023

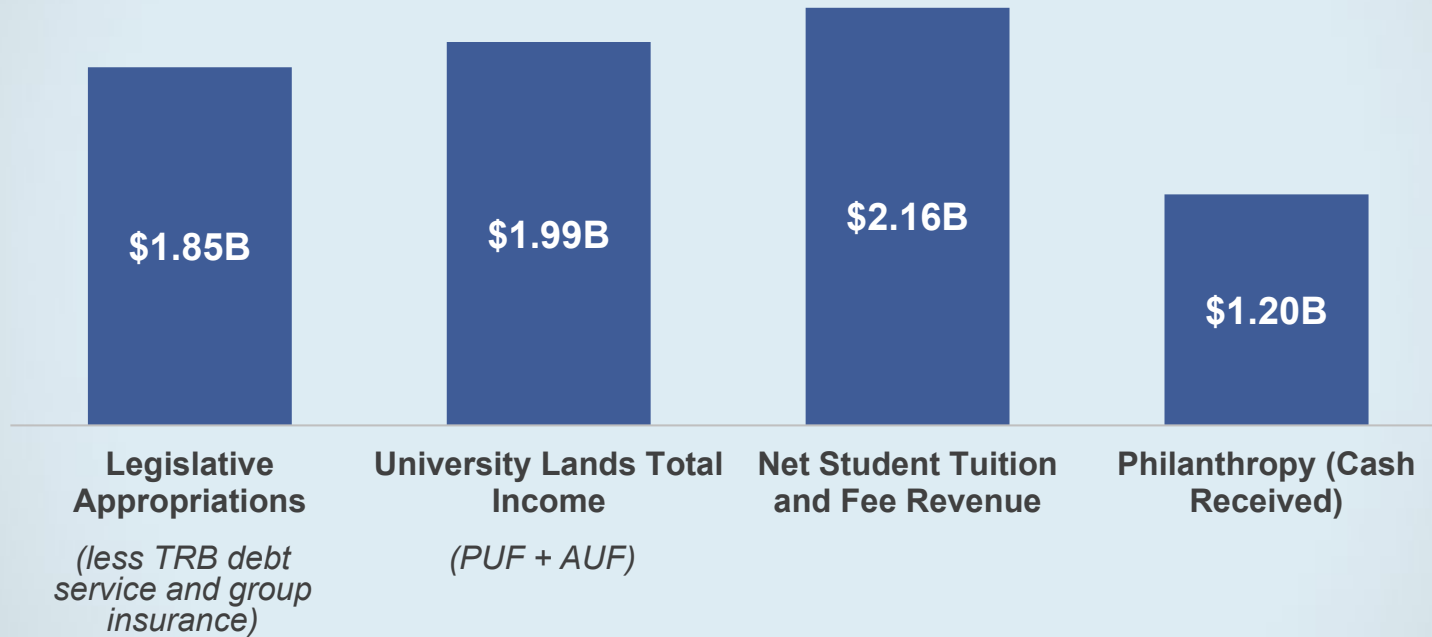


Impact of Philanthropy in FY 2023



Select Revenue Sources in FY 2023

Philanthropy is a major revenue source for U. T. institutions



Sustainable Giving – Challenges

- More dollars raised, fewer donors
- Alumni giving continues decline nationally
- Multigenerational communication and engagement
- Invest in long-term

Sustainable Giving – Opportunities

- Develop and implement near-term and long-term goals that run concurrently to build a sustainable philanthropic future
- Include all generations in the institution’s philanthropic future
- Use data more effectively to guide new, intentional, customized engagement, and fundraising initiatives at scale
- Communicate value and impact; enhance confidence in institution

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

RECOMMENDATION

The Board will be asked to approve the Consent Agenda beginning on [Page 159](#).

4. U. T. System Board of Regents: Discussion and appropriate action regarding Amendment to Regents' Rules and Regulations, to add new Rule 10902, concerning Research Security Policies, and other actions needed to comply with Texas Education Code Section 51.956

RECOMMENDATION

The Chancellor recommends that the U. T. System Board of Regents take the following actions:

- a) approve the addition of new Regents' Rule 10902 as set forth on the following page to establish a framework for U. T. System research security policies as required by Senate Bill 1565, passed by the Texas Legislature, 88th Regular Session, codified as *Texas Education Code* [Section 51.956](#), and effective September 1, 2023, and applicable federal laws and regulations;
- b) designate Mr. Trey Atchley, Chief Inquiry Officer and Chief Research Security Officer for the U. T. System, as the Systemwide Research Security Officer for purposes of complying with *Texas Education Code* [Section 51.956](#) (RSO) and delegate to the Chancellor authority to name succeeding RSOs; and
- c) approve each U. T. institution's [proposed institutional Research Security policy framework](#) and delegate to the RSO authority to approve subsequent amendments to institutional Research Security policy frameworks.

BACKGROUND INFORMATION

The proposed new Rule 10902 establishes the context and framework for the research security policies for all U. T. institutions as required by Senate Bill 1565 and included in Texas law as *Texas Education Code* [Section 51.956](#). That legislation also requires the Board to designate an individual to serve as Systemwide Research Security Officer for the U. T. System and establish research security policy frameworks for each institution.

Mr. Atchley currently serves as Chief Inquiry Officer and Chief Research Security Officer for the U. T. System and advises institutions on matters related to research and data security and other key risk areas. Prior to his employment with U. T. System, Mr. Atchley served as a Special Agent with the Federal Bureau of Investigation for over twenty years. Mr. Atchley has reviewed each proposed institutional policy framework and found them to be in compliance with the framework outlined in the proposed new Regents' Rule 10902.

The new Rule is not expected to impact the U. T. System full-time equivalent (FTE) employee count or budget. The proposed Rules change was reviewed by the institutional presidents and representatives of the Student Advisory Council, the Faculty Advisory Council, and the Employee Advisory Council.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 10902

1. Title

Research Security Policies

2. Rule and Regulation

Sec. 1 Purpose. Federal and State governments and granting agencies have recognized the risks of foreign influence within the higher education research community and that some foreign governments, institutions, and researchers have used their participation in the research community to compromise U.S. national and economic security. Education and research are core missions of every U. T. institution, and the Board recognizes the value and necessity of international collaborations in fulfilling these goals. Therefore, to mitigate the risks related to research security and foreign interference, it is imperative that each U. T. institution follow the highest standards of compliance and security and pursue international collaborations with researchers and institutions similarly committed to research integrity, transparency, and reciprocity.

Sec. 2 Research Security Programs and Policies: Each U. T. institution shall submit for Board approval a policy framework addressing research security risks.

- a. Each policy framework shall seek to achieve the highest level of compliance with all applicable ethical, legal, regulatory, and contractual guidelines to secure, protect, and expand the institution's research portfolio, including but not limited to the following categories of research: classified, export-controlled, controlled unclassified, and fundamental.
- b. Each U. T. institution shall appoint a Research Security Officer and establish a research security program that addresses key risk areas identified by federal and state governments, including National Security Presidential Memorandum-33 and *Texas Education Code*, Sec. 51.956, which are applicable to each institution's research portfolio, including, but not limited to, intellectual property, cybersecurity, research and proprietary data security, clinical trial data security, foreign collaborations, foreign travel, foreign visitors, foreign scholars and scientists, insider threats, and any other key risk areas.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 10902

- c. U. T. System Administration and each U. T. institution shall promote an organizational culture of compliance regarding research security and shall periodically monitor and assess the effectiveness of their programs. Institutional Research Security Officers shall promptly inform the Systemwide Research Security Officer regarding research security incidents that may significantly impact the mission or reputation of U. T. System or a U. T. institution.

5. **U. T. System Board of Regents: Presentation of Certificate of Appreciation to Director Michael J. Heidingsfield**