

Wednesday, August 14, 2019 (cont.)

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- 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**

COMMITTEE MEETINGS

1:30 p.m. - 4:30 p.m.

- 3. **U. T. System: Annual Meeting with Officers of the U. T. System Faculty Advisory Council**

4:30 p.m.
Report/Discussion

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RECESS

5:00 p.m.

Thursday, August 15, 2019

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS

8:00 a.m.

- 4. **U. T. System Board of Regents: Approval of Consent Agenda and consideration of any items referred to the full Board**
- 5. **U. T. System Board of Regents: Discussion and appropriate action regarding proposed amendments to Regents' *Rules and Regulations*, Rule 30202 (Employee Benefits), regarding back-up dependent care benefits**
- 6. **U. T. System Board of Regents: Discussion of Criteria and Review Process for Permanent University Fund (PUF) debt financing requests**
- 7. **U. T. System Board of Regents: Presentation of Certificate of Appreciation to U. T. Medical Branch - Galveston President David Callender**

Action

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Action

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Discussion
Chancellor Milliken

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Presentation

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STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD

8:30 a.m.

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

- 4. 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**

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- 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 associated with proposed U. T. System budget**
5. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072

U. T. San Antonio: Discussion and appropriate action regarding authorization (1) to enter into a ground lease to the Roadrunner Foundation of (i) approximately one acre located at the institution's Park West Athletics Complex, San Antonio, Bexar County, Texas, for the construction of an approximately 15,000 sq. ft. team and locker-room facility to support track and soccer competition fields (Park West Facility), and (ii) approximately 11.5 acres located on U. T. San Antonio's main campus, San Antonio, Bexar County, Texas, for the construction of an athletic facility complex that includes (a) an approximately 95,000 sq. ft. building containing weight rooms, team rooms, athletic department offices, athletic academic spaces and other athletic-related areas, (b) a covered football practice field, (c) an outdoor practice field, and (d) related parking, all of which is collectively known as the Roadrunner Athletics Center of Excellence (RACE Facility); (2) to accept the Park West facility upon completion of its construction and of the RACE Facility at the end of the ground lease term for the facility; (3) to enter into a bargain space lease for the RACE Facility from the Roadrunner Foundation; and (4) to exercise the option to prepay the space lease of the RACE Facility and terminate its ground lease

6. 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); 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. Health Science Center - Houston: Discussion and appropriate action regarding proposed compensation for Angel Blanco, M.D., Assistant Professor of Neurology, Department of Neurology, and Tang Ho, M.D., Associate Professor, Department of Otorhinolaryngology, Head and Neck Surgery (Regents' Rules and Regulations, Rule 20204, regarding compensation for highly compensated employees)**

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- c. **U. T. System: Discussion and appropriate action regarding individual personnel matters concerning employees in the Office of Shared Information Services (SIS)**
- 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); U. T. System and institutional employees, and related personnel aspects of the operating budget for Fiscal Year 2020**
- e. **U. T. System: Discussion and appropriate action concerning individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of U. T. System and institutional employees including employees covered by Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees, and Rule 20203, regarding compensation for key executives**

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

*11:00 a.m.
approximately*

- 8. **U. T. System: Approval of the nonpersonnel aspects of the operating budgets for Fiscal Year 2020, including Permanent University Fund (PUF) Bond Proceeds allocations for Library, Equipment, Repair and Rehabilitation (LERR) Projects and for the Science and Technology Acquisition and Retention (STARs) program, and for capital expenses for the U. T. Rio Grande Valley School of Medicine**
- 9. **U. T. System: Discussion and appropriate action regarding personnel aspects of the U. T. System Administration and institutional operating budgets for Fiscal Year 2020**
- 10. **U. T. System Board of Regents: Discussion and appropriate action regarding proposed appointment to University Lands Advisory Board (ULAB)**

Action **26**
Chancellor Milliken

Action **28**
Chancellor Milliken

Action **29**

ADJOURN

11:45 a.m.

1. **U. T. El Paso: Acknowledgement of appreciation to President Diana Natalicio and appointment as President Emerita**

RECOMMENDATION

The Chancellor recommends that the U. T. System Board of Regents appoint Diana S. Natalicio as President Emerita at U. T. El Paso, with the award effective immediately in recognition of her extraordinary leadership and length of service.

BACKGROUND INFORMATION

Dr. Natalicio was named president of U. T. El Paso in 1988, serving in that position until 2019. During her distinguished career with the University, Dr. Natalicio has also served as vice president for academic affairs, dean of liberal arts, chair of the modern languages department and professor of linguistics. Her sustained commitment to provide all residents of the Paso del Norte region access to outstanding higher education opportunities has helped make U. T. El Paso a national success story.

During Dr. Natalicio's tenure as president, UTEP's enrollment has grown from 15,000 to over 25,000 students, reflecting the demographics of the Paso del Norte region from which nearly 90% come from. More than 80% are Mexican-American, and approximately 5% commute to the campus from Ciudad Juárez, Mexico. Since 1988, the annual budget has increased from \$65 million to more than \$500 million. UTEP is designated as a Carnegie R1 university, recognized nationally for both the excellence and breadth of its academic and research programs. The annual research expenditures have grown from \$6 million to nearly \$95 million per year, and doctoral programs have increased from one to 22 during this same period. To accommodate steady growth in enrollment, academic programs, and research, the University has recently committed nearly \$400 million in new and renovated facilities expansion in science, engineering, health sciences, and other student quality-of-life related infrastructure.

Dr. Natalicio has served on numerous boards and was appointed by President George H.W. Bush to serve on the Advisory Commission on Educational Excellence for Hispanic Americans and by President Bill Clinton to the National Science Board (NSB), where she served two six-year terms, including three two-year terms as NSB vice-chair.

In 2017, Dr. Natalicio was named one of Fortune magazine's Top 50 World Leaders. In 2016, she was honored with the Hispanic Heritage Award in Science, Technology, Engineering, and Math, and she was included on the 2016 TIME 100 list of most influential people in the world. In 2015, The Carnegie Corporation of New York honored Dr. Natalicio with its prestigious Academic Leadership Award. In 2011, the President of Mexico presented her the Orden Mexicana del Aguila Azteca, the highest recognition bestowed on foreign nationals. She was inducted into the Texas Women's Hall of Fame, honored with the Distinguished Alumnus Award at U. T. Austin, and awarded multiple honorary doctoral degrees.

2. U. T. System Board of Regents: Recognition of academic and health institution recipients of the 2019 Regents' Outstanding Teaching Awards (ROTA)

PRESENTATION

Chairman Eltife will recognize the 2019 recipients for the Regents' Outstanding Teaching Awards, as listed on the website at <http://www.utsystem.edu/sites/regents-outstanding-teaching-awards>.

BACKGROUND INFORMATION

The Board of Regents of the U. T. System places the highest priority on undergraduate teaching at U. T. System universities and encourages teaching excellence by recognizing those faculty who deliver the highest quality of undergraduate instruction, demonstrate their commitment to teaching, and have a history and promising future of sustained excellence with undergraduate teaching in the classroom, in the laboratory, in the field, or online.

On August 14, 2008, the Board established the Regents' Outstanding Teaching Awards (ROTA), which are a recognition of the importance the Board places on the provision of teaching and learning of the highest order, by honoring those who serve students in an exemplary manner and as an incentive for others who aspire to such service. These teaching awards complement existing ways in which faculty excellence is recognized and incentivized.

No more than 16 awards are given among the academic institutions across all faculty levels, and no more than 12 awards are given among the health institutions.

3. **U. T. System: Annual Meeting with Officers of the U. T. System Faculty Advisory Council**

REPORT

The U. T. System Faculty Advisory Council will meet with the Board to discuss accomplishments of the Council and plans for the future. The Council's PowerPoint presentation is set forth on the following pages. Council members scheduled to attend are:

Chair: Gurur Biliciler-Denktaş, M.D., U. T. Health Science Center - Houston, Pediatric Cardiologist

Academic Affairs and Faculty Quality Committee: David Coursey, Ph.D., U. T. Arlington, Public Affairs

Governance Committee: Charlotte Canning, Ph.D., U. T. Austin, Department of Theatre and Dance, Center for Women's and Gender Studies, Department of African and African Diaspora Studies

Health Affairs Committee: Ramon Cestero, M.D., U. T. Health Science Center - San Antonio, Clinical and Trauma Surgery

BACKGROUND INFORMATION

The University of Texas System Faculty Advisory Council was established in 1989 to facilitate the flow of ideas and information between and among the Board of Regents, the System Administration, and the institutions of the System. Council guidelines require that recommendations have a multi-institutional focus and that the Council explore individual campus issues with institutional administrators prior to any consideration.

The Faculty Advisory Council consists of two faculty representatives from each U. T. System institution and meets quarterly. The Standing Committees of the Council are: Academic Affairs and Faculty Quality, Governance, and Health Affairs.

Faculty Advisory Council (FAC)

Gurur Biliciler- Denktas, M.D., Chair, U. T. System FAC

U. T. System Board of Regents' Meeting
August 2019



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Faculty Advisory Council Structure

- **Elected faculty leaders from each U. T. institution**
 - Campus senate presidents, past presidents, other elected members
 - 16 academic representatives, 12 health representatives
- **Officers**
 - Gurur Biliciler-Denktaş, M.D., Chair (UTHSC - Houston)
 - Dan Cavanagh, M.M., Past Chair (UT Arlington)
 - Emily Bonner, Ph.D., Chair-Elect (UT San Antonio)
 - David Coursey, Ph.D., Secretary (UT Arlington)
- **FAC liaison:** AVC Kevin Lemoine



Faculty Advisory Council Academic Year 2018-19

- GOVERNANCE COMMITTEE:
 - Family leave policies across the system
 - Grievance policies across the system



Faculty Advisory Council Academic Year 2018-19 (cont.)

- ACADEMIC AFFAIRS COMMITTEE:
 - Faculty workload policy
 - Nontenure-track faculty
 - Teaching effectiveness and evaluation
 - Student feedback survey and its inherent bias



Faculty Advisory Council Academic Year 2018-19 (cont.)

- HEALTH AFFAIRS COMMITTEE:
 - Physician burnout
 - Student success and quality of teaching at the medical campuses



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Faculty Advisory Council Academic Year 2018-19 (cont.)

- Successful Association of College and University Educators (ACUE) pilot in conjunction with AVC Rebecca Karoff
- Engagement with the Coordinating Board on Fields of Study (FOS)
- Further engagement on Institutional Conflicts of Interest policy
- Regents' Rule amendments clarifying faculty governance bodies
- Diversity work
- National Institutes of Health "Dear Colleague" letter



ACUE

- Pilot Project AY 2019-2020, Facilitated by UTPB Education Professor Jessica Garrett
- 22 faculty members from UT System Academic Institutions completed the course and received certification
- Pinning ceremony and focus group held in June, 2019



- Exciting preliminary results related to student outcomes and engagement improvements in courses taught by these professors



THECB Field of Study

- Provided feedback to the Texas Higher Education Coordinating Board on Proposed FOS changes
- FAC shares UT System leadership's goals of ensuring student readiness through the transfer process
- Faculty wish to reduce barriers to transfer while ensuring student success



Faculty Advisory Council Physician Burnout Initiative

- 2018:
 - FAC White Paper with recommended Solutions for Physician Burnout at UT System presented to Chancellor, March 2018
 - White paper shared with the Health Science Center presidents, September 2018
- July 2019
 - UT System FAC and administrator working group initiated to share best practices and design interventions to mitigate burnout and improve well being for UT System physicians



Faculty Advisory Council Academic Year 2019-20

- GOVERNANCE COMMITTEE:
 - Family leave and grievance policies across the system



Faculty Advisory Council Academic Year 2019-20 (cont.)

- ACADEMIC AFFAIRS:
 - Student feedback survey
 - Affordable Learning Accelerator Task Force Working group collaboration for recognition of faculty for OER (Open Educational Resource)



Faculty Advisory Council Academic Year 2019-20 (cont.)

- HEALTH AFFAIRS:
 - Physician burnout
 - Student success and quality of teaching



Faculty Advisory Council Academic Year 2019-20 (cont.)

HEALTH AFFAIRS

ACADEMIC AFFAIRS

Faculty recruitment and retention

- Sick leave/parental leave
- Non-tenured faculty stability
- Faculty turnover
- Exit interview
- Best practices for salary compression



4. **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 237](#).

5. U. T. System Board of Regents: Discussion and appropriate action regarding proposed amendment to Regents' Rules and Regulations, Rule 30202 (Employee Benefits), regarding back-up dependent care programs

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs *ad interim*, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel that Regents' *Rules and Regulations*, Rule 30202 (Employee Benefits), be amended to add the following section regarding back-up dependent care programs as set forth below in congressional style, and renumber the remaining sections accordingly:

Sec. 4 Back-up Dependent Care. The Board of Regents authorizes U. T. System Administration or any U. T. institution to establish a back-up dependent care program for disruptions in child, adult, or elder dependent caregiving arrangements, so that employees may continue to fulfill work obligations.

BACKGROUND INFORMATION

Regents' Rule 30202 authorizes certain employee benefits to be offered to U. T. System employees. The proposed amendment authorizes U. T. System Administration and U. T. institutions to offer back-up dependent care as an employee benefit, but does not compel any institution to do so.

Back-up dependent care programs can offer in-home or in-center care and are intended to cover gaps in caregiving that arise from temporary or unexpected events that would otherwise prevent an employee from fulfilling work obligations, such as a dependent's medical treatment or illness, a school closure, an employee's work-related travel, or an event causing regular caregivers to be temporarily unable to provide care.

These revisions do not impact the full-time equivalent (FTE) employee count Systemwide. The administration of the program has the potential to result in a slight cost, but it is expected that the program will increase employee efficiency and performance. The proposed amendments were reviewed by the institutional presidents and representatives of the Student Advisory Council, the Faculty Advisory Council, and the Employee Advisory Council.

6. **U. T. System Board of Regents: Discussion of Criteria and Review Process for Permanent University Fund (PUF) debt financing requests**

7. **U. T. System Board of Regents: Presentation of Certificate of Appreciation to U. T. Medical Branch - Galveston President David Callender**

8. **U. T. System: Approval of the nonpersonnel aspects of the operating budgets for Fiscal Year 2020, including Permanent University Fund (PUF) Bond Proceeds allocations for Library, Equipment, Repair and Rehabilitation (LERR) Projects and for the Science and Technology Acquisition and Retention (STARs) program, and for capital expenses for the U. T. Rio Grande Valley School of Medicine**

RECOMMENDATION

Chancellor Milliken, with the concurrence of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Executive Vice Chancellor for Health Affairs *ad interim*, and the presidents of the U. T. System institutions, recommends that the nonpersonnel aspects of the U. T. System Operating Budgets for Fiscal Year 2020, including Educational and General Funds, Auxiliary Enterprises, Grants and Contracts, Designated Funds, Restricted Current Funds, and Medical, Dental, Nursing, and Allied Health Faculty Services, Research and Development Plans, be approved.

It is further recommended that the Chancellor be authorized to make editorial corrections to the approved budget and that subsequent adjustments be reported to the U. T. System Board of Regents through the Consent Agenda subject to the requirements of the Budget Rules and Procedures. Executive Vice Chancellor Kelley will present the following recommended items:

- Fiscal Year 2020 Operating Budget
- Fiscal Year 2020 Library, Equipment, Repair and Rehabilitation (LERR) Budget
- Fiscal Year 2020 Faculty Science and Technology Acquisition and Retention (STARs) program
- Allocation in support of the U. T. Rio Grande Valley School of Medicine

It is requested that Permanent University Fund (PUF) Bond Proceeds in the amount of \$35 million be appropriated directly to the institutions to fund LERR Projects for Fiscal Year 2020.

It is also requested that \$35 million of PUF Bond Proceeds be appropriated to provide additional funding to build and enhance research infrastructure to attract and retain the best qualified faculty through the Faculty STARs program. Through a competitive proposal process determined by U. T. System Administration, funds will be distributed for the purpose of recruiting or retaining top researchers. It is also requested that the respective Executive Vice Chancellor be delegated authority to transfer Faculty STARs funding to the Rising STARs program to take advantage of recruitment and retention opportunities that may arise.

In addition, it is requested that an allocation of \$50 million of PUF Bond Proceeds be authorized to fund capital expenses associated with the start-up of the U. T. Rio Grande Valley School of Medicine. On December 6, 2012, the Board approved \$100 million of unspecified resources to be used to fund start-up costs for the School of Medicine. Of the \$100 million commitment, the Board has previously approved \$50 million of PUF proceeds and is being asked to approve an additional \$50 million of PUF proceeds at this time.

BACKGROUND INFORMATION

A supplemental volume of the budget materials titled "Operating Budget Summaries and Reserve Allocations for Library, Equipment, Repair and Rehabilitation and Faculty STARs" was provided to all Regents prior to the meeting and will be available online at <https://www.utsystem.edu/documents/docs/operating-budget-summary/operating-budget-summary-system-fy-2020>.

The appropriation of PUF Bond Proceeds will be presented in the Fiscal Year 2020 LERR Budget and is subject to the budget rules and expenditure guidelines adopted therein. The allocation of LERR funds to the U. T. institutions was developed from prioritized lists of projects submitted by the institutions and reviewed by U. T. System Administration staff. The allocation of PUF Bond Proceeds for Faculty STARs and the U. T. Rio Grande Valley School of Medicine are also subject to the LERR budget rules, and expenditure guidelines. Additionally, PUF Bond Proceeds appropriated as indicated above to LERR, Faculty STARs, and the U. T. Rio Grande Valley School of Medicine must be spent in accordance with Article VII, Section 18 of the Texas Constitution. PUF Bond Proceeds may only be used for the purpose of acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, major repair and rehabilitation of buildings and other permanent improvements, acquiring capital equipment, and acquiring library books and library materials.

See Agenda Item 9 and also the Executive Session items related to individual personnel aspects of the U. T. System Operating Budgets (Items 6d and 6e for August 15).

9. **U. T. System: Discussion and appropriate action regarding personnel aspects of the U. T. System Administration and institutional operating budgets for Fiscal Year 2020**

RECOMMENDATION

Chancellor Milliken concurs with the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs *ad interim*, and the Executive Vice Chancellor for Business Affairs that approval be granted regarding personnel aspects of the U. T. System Administration operating budget for Fiscal Year 2020 as included in the previous Agenda Item (Item 8).

See also the Executive Session items related to the individual personnel aspects of the U. T. System Operating Budgets (Items 6d and 6e for August 15).

10. **U. T. System Board of Regents: Discussion and appropriate action regarding proposed appointment to University Lands Advisory Board (ULAB)**

RECOMMENDATION

Chairman Eltife may recommend action concerning a proposed appointment to the University Lands Advisory Board (ULAB).

BACKGROUND INFORMATION

On March 19, 2018, the Board of Regents approved changes to the membership structure for the University Lands Advisory Board (ULAB), effective immediately, as follows:

- five members appointed by The University of Texas System Board of Regents;
- three members appointed by The Texas A&M University System Board of Regents; and
- the Commissioner of the General Land Office.

Further, at least two of the members appointed by the U. T. System Board and at least one of the members appointed by the A&M System Board must be current Regents, with the ULAB Chairman to be named by the U. T. System Board. In addition, at least three of the members appointed by the U. T. System Board and at least two of the members appointed by the A&M System Board must have industry experience.