

Meeting No. 1,221

THE MINUTES OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

Pages 1 - 110

November 17 - 18, 2021

Austin, Texas

MEETING NO. 1,221

WEDNESDAY, NOVEMBER 17, 2021.-- The members of the Board of Regents of The University of Texas System convened at 1:30 p.m. on Wednesday, November 17, 2021, in the Board Room, Second Floor, The University of Texas System Building, 210 West Seventh Street, Austin, Texas, with the below meeting participation:

ATTENDANCE.--

Present

Chairman Eltife
Vice Chairman Longoria
Vice Chairman Weaver
Regent Crain
Regent Perez
Regent Stedman
Regent Nguyen, Student Regent, nonvoting

Absent

Regent Hicks
Regent Warren
Regent Jiles

CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION.-- At 1:30 p.m., in accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Eltife called the meeting to order in Open Session.

RECESS TO EXECUTIVE SESSION.--At 1:30 p.m., the Board recessed to Executive Session, pursuant to *Texas Government Code* Section 551.074, to consider the matter listed on the Executive Session agenda.

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEM AND TO RECESS TO COMMITTEE MEETINGS.-- Chairman Eltife reconvened the Board in Open Session at 2:08 p.m. to consider action on the following item.

1. U. T. El Paso: Consideration, discussion, and appropriate action regarding recommendation of Faculty Hearing Tribunal concerning termination of Wei Qian, Ph.D., a tenured faculty member

Vice Chairman Weaver made the following motion:

Based upon the evidentiary record from the faculty tribunal hearing regarding the termination of Wei Qian, Ph.D., a tenured faculty member at The University of Texas El Paso, as provided to the U. T. System Board of Regents, I move that the Board:

1. accept the faculty tribunal's September 24, 2021 findings of material fact and conclusions in their entirety, including that Dr. Qian;
 - a. did not disclose the nature of his relationships with Northeastern University in China and various Chinese businesses;
 - b. did not disclose his inclusion on a grant award, patent filings, and publications; and
 - c. provided factual misrepresentations on multiple occasions; and
2. accept the conclusion of the majority of the tribunal that the greater weight of the credible evidence of Dr. Qian's actions taken together constitute good cause for the termination of his tenured faculty appointment at U. T. El Paso.

I further move that the Board determine that good cause exists to terminate Dr. Qian's employment and vote to terminate him from the U. T. El Paso faculty effective immediately.

Finally, I move that the Board direct the General Counsel to the Board to prepare a document noting the reasons for the Board's actions regarding these findings, conclusions, and recommendation of termination and communicate them to Dr. Qian.

The motion was seconded by Vice Chairman Longoria and carried unanimously.

RECESS.--There being no further business, the meeting was recessed at 2:12 p.m. to convene the Board in Committee Meetings.

STANDING COMMITTEES.--The Board convened in Open Session for Standing Committee meetings from 2:12 p.m. – 4:09 p.m.

ADJOURNMENT.--There being no further business, the meeting was adjourned following Standing Committee meetings at 4:09 p.m. to reconvene on November 18, 2021.

THURSDAY, NOVEMBER 18, 2021.-- The members of the Board of Regents of The University of Texas System reconvened at 9:01 a.m. on Thursday, November 18, 2021, in the Board Room, Second Floor, The University of Texas System Building, 210 West Seventh Street, Austin, Texas, with the below meeting participation:

ATTENDANCE.--

Present

Chairman Eltife
Vice Chairman Longoria
Vice Chairman Weaver
Regent Crain
Regent Perez
Regent Stedman
Regent Nguyen, Student Regent, nonvoting

Absent

Regent Hicks
Regent Warren
Regent Jiles

CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION.-- At 9:01 a.m., in accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Eltife called the meeting to order in Open Session.

RECESS TO EXECUTIVE SESSION.--At 9:01 a.m., the Board recessed to Executive Session, pursuant to *Texas Government Code* Section 551.074, to consider the matter listed on the Executive Session agenda.

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEM AND TO CONSIDER AGENDA ITEMS.--At 9:48 a.m., Chairman Eltife reconvened the Board in Open Session to consider action on the following items.

1. U. T. San Antonio: Consideration, discussion, and appropriate action regarding recommendation of Faculty Hearing Tribunal concerning termination of Bruce Smith, Ph.D., a tenured faculty member

Vice Chairman Longoria made the following motion:

Based upon the evidentiary record from the faculty tribunal hearing regarding the termination of Bruce Smith, Ph.D., a tenured faculty member at The University of Texas San Antonio, as provided to the U. T. System Board of Regents, I move that the Board:

1. accept the faculty tribunal's July 7, 2021 findings of material fact and conclusions that Dr. Smith;

- a. did not meet the requirements or produce documented progress towards meeting the requirements of his performance improvement plan; and
 - b. U. T. San Antonio met its burden to prove good cause for the termination of the tenured position held by Dr. Smith by the greater weight of the credible evidence; and
2. accept the conclusions of the majority of the tribunal that the greater weight of the credible evidence of Dr. Smith's actions constitute good cause for the termination of his tenured faculty appointment at U. T. San Antonio based solely on the allegations involved in his 2019-2020 performance improvement plan.
 3. I further move that the Board determine that good cause exists to terminate Dr. Smith's employment and vote to terminate him from the U. T. San Antonio faculty effective immediately.

Finally, I move that the Board direct the General Counsel to the Board to prepare a document noting the reasons for the Board's actions regarding these findings, conclusions, and recommendation of termination and communicate them to Dr. Smith and his counsel.

The motion was seconded by Regent Perez and carried unanimously.

STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD.--
At 9:50 a.m., Chairman Eltife announced the Board would hear the reports and recommendations of the Standing Committees, which are set forth on Pages 5 - 44.

REPORT OF THE AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE
(Pages 5 - 6).--Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved by the Board in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration

There were no items assigned for review by this Committee.

2. U. T. System: Authorization to settle property insurance claim for U. T. Permian Basin, and delegation of authority to Chief Compliance and Risk Officer

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Chief Compliance and Risk Officer and the Interim Executive Vice Chancellor for Business Affairs that the U. T. System Board of Regents:

- a. approve, in accordance with Regents' Rule 80601, final settlement of the U. T. Permian Basin (UTPB) property insurance claim covered under the U. T. System Comprehensive Property Protection Plan (CPPP) in the amount of \$8,574,733.89; and
- b. delegate authority to the Chief Compliance and Risk Officer to execute all related Proofs of Loss and other settlement documents

BACKGROUND INFORMATION

The U. T. System Comprehensive Property Protection Plan (CPPP) finances catastrophic losses for The University of Texas System and its institutions. Under the CPPP, the Fire and All Other Perils Program insures against risks of direct physical loss or damage to a U. T. System property.

On June 14, 2017, the city of Odessa and the UTPB campus suffered a severe hail storm affecting every building on the Odessa campus. In addition to roof damage, many windows were damaged as well. Due to the citywide damage caused by the storm and strain on contractors and material later that year due to several major hurricanes, including hurricane Harvey, repairs took a considerable amount of time and were not completed until June 2021.

The contractor completed repairs totaling \$8,574,733.89. The applicable CPPP deductible for this hail storm claim is \$5 million, resulting in a CPPP commercial insurance settlement payment of \$3,574,733.89. The CPPP Fund will provide interim financing of \$4,750,000 to UTPB to fund capital costs incurred within the policy deductible.

3. U. T. System: Discussion and presentation of Systemwide Compliance Risk Assessment

This item was for consideration only by the Committee.

4. U. T. System: Review of Investments made by the Board in Information Security

This item was for consideration only by the Committee.

5. U. T. System: Discussion of U. T. Systemwide Internal Audit Guiding Principles Charter

This item was for consideration only by the Committee.

6. U. T. System: Report and discussion on the Systemwide internal audit activities, including FY 2021 Annual Report

This item was for consideration only by the Committee.

REPORT OF THE FINANCE AND PLANNING COMMITTEE (Pages 7 - 8).--
Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved by the Board in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, referred for Committee consideration

There were no items referred from the Consent Agenda.

2. U. T. System: Financial Status Presentation

This item was for consideration only by the Committee.

3. U. T. System Board of Regents: Approval of annual distributions from the Permanent University Fund

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs with the Interim Executive Vice Chancellor for Business Affairs in the recommendation that the Fiscal Year 2022 distribution from the Permanent University Fund (PUF) to the Available University Fund (AUF) be increased from \$1,112,265,000 to \$1,161,760,000.

BACKGROUND INFORMATION

Article VII, Section 18 of the Texas Constitution requires that the amount of distributions to the AUF be determined by the Board of Regents of The University Texas System (Board of Regents) in a manner intended to provide the AUF with a stable and predictable stream of annual distributions and to maintain over time the purchasing power of PUF investments and annual distributions to the AUF. The recommendation will increase PUF distributions by the average rate of inflation for the trailing 12 quarters plus 2.65%.

The Constitution further limits the Board of Regents' discretion to set annual PUF distributions to the satisfaction of three tests:

1. The amount of PUF distributions to the AUF in a fiscal year must be not less than the amount needed to pay the principal and interest due and owing in that fiscal year on PUF bonds and notes. The proposed distribution of \$1,161,760,000 is substantially greater than PUF bond debt service of \$465,288,501 projected for Fiscal Year 2022.

System	Debt Service
U. T.	\$ 289,688,501
TAMU	175,600,000
Total:	\$ 465,288,501

Sources: U. T. System Office of Finance
 Texas A&M University System Office of
 Treasury Services

2. The Board of Regents may not increase annual PUF distributions to the AUF (except as necessary to pay PUF debt service) if the purchasing power of PUF investments for any rolling 10-year period has not been preserved. As the schedule below indicates, the average annual increase in the rate of growth of the value of PUF investments (net of expenses, inflation, and distributions) for the trailing 10-year period ended February 28, 2021, was 6.67%, which indicates that the purchasing power test was met.

Average Annual	Percent
Rate of Total Return, Net of Investment Manager Fees	8.23%
Mineral Interest Receipts	5.07%
Expense Rate	(0.20%) ⁽¹⁾
Inflation Rate	(1.74%)
Distribution Rate	(4.69%)
Net Real Return	6.67%

(1) The expense rate as shown is a 10-year annualized average and includes PUF Land Expenses and PUF investment management costs other than investment manager fees. Investment management fees are a reduction to the Rate of Total Return.

3. The annual distribution from the PUF to the AUF during any fiscal year made by the Board of Regents may not exceed an amount equal to 7% of the average net fair market value of PUF investment assets as determined by the Board of Regents (except as necessary to pay PUF bond debt service). The annual distribution rate calculated using the trailing 20-quarter average value of the PUF is within the 7% maximum allowable distribution rate.

Value of PUF Investments (1)	Proposed Distribution	Proposed Distribution as a % of Value of PUF Investments	Maximum Allowed Rate
\$21,757,738,409	\$ 1,161,760,000	5.34%	7.00%

(1) Source: UTIMCO

4. U. T. System Board of Regents: University Lands Update

This item was for consideration only by the Committee.

REPORT OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 9 - 27).-- Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved by the Board in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, referred for Committee consideration

There were no items referred from the Consent Agenda.

2a. U. T. Arlington: Approval to establish a Bachelor of Science in Resource and Energy Engineering degree program

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the institutional president that authorization, pursuant to Regents' *Rules and Regulations*, Rule 40307, related to academic program approval standards, be granted to

- a. establish a Bachelor of Science in Resource and Energy Engineering degree program at U. T. Arlington; and
- b. submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

BACKGROUND INFORMATION

Program Description

U. T. Arlington proposes the establishment of a Bachelor of Science (B.S.) in Resource and Energy Engineering, which will be designed to prepare individuals to apply mathematical and scientific principles to the design, development, and operational evaluation of energy generation, storage, conversion, and distribution systems. This includes instruction in conventional and alternative/renewable energy systems, electrical power systems, and electrical system design.

The program takes a systems approach to build student understanding of both conventional and renewable energy. The 124 Semester Credit Hours (SCH) program is based on a strong core of engineering fundamentals, then provides education in conventional energy, such as coal, petroleum, and natural gas, as well as renewables such as solar, water, and wind. Educating new engineers using a systems approach is also reflected in courses that address energy generation/distribution/storage, planning, and smart grids.

Need and Student Demand

The need for the proposed B.S. in Resource and Energy Engineering program is driven by two trends. First is the continued growth in the energy industry for both conventional and renewable sources. This growth, in which Texas plays a critical role, has shown the need for conventional energy to continue as part of our critical resource base, as well as the increasingly important role of renewables. Second is the need for a much larger and well-trained workforce to support growth in the energy industry. Many in this new workforce will require a more comprehensive educational background to be able to address the challenges of developing and managing this more complex and diverse energy environment.

Texas is the largest energy-producing and energy consuming state in the nation. Our industry sector, including its refineries and petrochemical plants, accounts for half of the energy consumed in the state. Texas is also a leader in renewable energy starting with the Public Utility Commission of Texas adoption of the state's renewable energy mandate in 1999. Growth allowed the state to reach its goal of 500 megawatts from renewables in 2009, well ahead of the target date of 2025.

Texas has a high concentration of energy employment, with 583,404 traditional energy workers statewide: 333,297 of these workers are in the fuels sector; 201,313 work in transmission, wholesale distribution, and storage; and 48,794 workers are employed in electric power generation. Across the U.S., 17.9% of the traditional energy jobs are in Texas. The traditional energy sector in Texas is 5% of total state employment (compared to 2.4% of national employment). Texas has an additional 146,722 jobs in energy efficiency (6.7% of all energy efficiency jobs nationwide).

The employment growth both nationwide and in Texas for engineers is strong. Nationwide employment for engineers was 1,681,000 in 2016, with a projected growth of an additional 139,300 jobs by 2026. The U.S. Bureau of Labor Statistics notes that, in 2017 and 2020, Texas was among the top five states with employment growth in engineering, with over 230,000 current positions averaging \$97,400 in annual median wages. A study by the Bureau in 2020 also noted that alternative energy engineers was the second fastest growing engineering field nationwide.

An evaluation of potential student demand was conducted by assessing regional employment opportunities that include key terms in position descriptions and job titles that map to the proposed B.S. in Resource and Energy Engineering program. The review showed a total of 14,217 positions that used position description terms related to energy and engineering in the job title. In addition, a total of 3,650 positions specifically used the words 'energy engineering' in the job title.

Student demand was also assessed by surveying existing students who have already selected engineering as a career field at U. T. Arlington. A survey was conducted with first-time, full-time freshman students in the College of Engineering during the Fall 2020 semester. The survey of 490 students found that 70.22% indicated they would be interested in an academic program that

studied energy (strongly agree, agree, and somewhat agree). In addition, 46.33% were also interested in conventional energy, and 71.84% were interested in renewable energy. A total of 68.88% were also interested in the business and economics side of energy. The students surveyed covered all disciplines offered in the College of Engineering ranging from aerospace to computer, electrical, mechanical, and industrial.

Projected enrollment in the program in the first year is 55 students and 360 students in the fifth year. Enrollment projections are based on enrollment in similar programs across the country and engineering enrollment in U. T. Arlington programs.

Program Quality

The program will be supported by five current engineering faculty and two new faculty. The program will also be supported by local working professionals (employed by the university as adjuncts) to draw on industry expertise to support key application-oriented courses.

The program will also be supported by three additional key faculty from mechanical and aerospace engineering and one faculty from electrical engineering who will cover engineering core courses used in this as well as other baccalaureate programs in the College of Engineering.

The accreditation body for the B.S. in Resource and Energy Engineering program will be ABET, formerly the Accreditation Board for Engineering and Technology. ABET is a recognized accreditation body for college and university programs in applied science, computing, engineering, and technology, and is composed of a federation of 35 professional and technical societies representing these fields. ABET is a highly respected accreditation organization and has provided leadership and quality assurance in higher education for over 75 years. ABET currently accredits 4,307 programs in 846 colleges and universities in 41 countries. U. T. Arlington currently has nine engineering programs that have already received ABET accreditation.

Revenue and Expenses

Expenses	5-Year Total
<i>Faculty</i>	
Salaries	\$1,818,304
Benefits	\$207,750
<i>Graduate Students</i>	
GRA Salaries	\$228,000
GRA Benefits	\$26,050
<i>Staff & Administration</i>	
Graduate Coordinator Salary	\$263,989
Administrative Staff Salaries	\$477,000
Staff Benefits	\$125,740
<i>Other Expenses</i>	
Total Expenses	\$3,146,833

Revenue	5-Year Total
<i>From Student Enrollment</i>	
Formula Funding	\$620,002
Tuition and Fees	\$13,877,258
<i>From Institutional Funds</i>	
Reallocation of Existing Resources	\$1,274,293
Total Revenue	\$15,771,553

Coordinating Board Criteria

The proposed program meets all applicable Coordinating Board criteria for new degree program.

2b. U. T. El Paso: Approval to establish a Doctor of Philosophy in Sociology degree program

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the institutional president that authorization, pursuant to Regents' *Rules and Regulations*, Rule 40307, related to academic program approval standards, be granted to

- a. establish a Doctor of Philosophy in Sociology degree program at U. T. El Paso; and
- b. submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

BACKGROUND INFORMATION

Program Description

The Department of Sociology and Anthropology in the College of Liberal Arts at U. T. El Paso proposes a Doctor of Philosophy (Ph.D.) in Sociology. The degree program will be an innovative 61 semester credit hour (SCH) program focused on the department's expertise in mobility, environment, and health that draws on U. T. El Paso's unique location along the U.S.-Mexico Border. Increasingly, social processes related to immigration, crime, environment, and health cut across borders; this Ph.D. program will specialize in the comparative sociological study of national and social processes that connect and transcend the boundaries of the United States and Mexico, as well as other divided global societies.

Students in this program will engage in empirical research to produce new understandings of social processes impacting the world in a unique and highly dynamic context. Research will be conducted via one of the three tracks that comprise the program: (1) Borders and Mobility; (2) Culture and Health; and (3) Environment and Society, reflecting the concentrated expertise of the faculty in these three areas. This interdisciplinary approach integrates, links, and unifies a wide range of academic fields across campus and nationally.

The curriculum will begin with graduate-level course work and finish with independent research. The curricular sequence and educational objectives will provide rigorous social science training and real-world applications concerned with culture, borders, transnational migration, and their social, environmental and health manifestations. Combining disciplinary training in sociological methods and theory with specialized course work will deepen student education in politics, society, and culture.

Need and Student Demand

According to the National Science Foundation's (NSF) earned doctorate survey in 2017, 72.2% of Ph.D. graduates in the social sciences had a firm job commitment upon graduation. This is only slightly behind mathematics and computer science's 72.6% firm commitment. Within sociology, 72.5% of students indicate definite plans of employment or study upon graduation; among these, 76.6% will be employed within academia, 7.7% in government, and 7.1% in industry and the non-profit sector. The percentage in academia is the highest of the fields measured by NSF, followed by political science with 74.1%, anthropology with 68.2%, economics with 53%, and psychology with 48.7%. This suggests that the academic job market is strong within sociology. According to the U.S. Bureau of Labor Statistics, sociologists held about 3,000 jobs in the U.S. in 2018 and the employment of sociologists is projected to grow 9% from 2018 to 2028, faster than the average for all occupations (5%).

The field of sociology has been growing rapidly, but there is a shortage of qualified Ph.D. graduates to fill available positions. In 2018, 745 sociology positions were advertised in the American Sociological Association Job Bank. However, in the same year, only 687 Ph.D. degrees in sociology were awarded nationally.

U. T. El Paso is extremely well placed to receive students with a B.A. or M.A. in sociology and cognate disciplines. The University projects eight students in Year 1 and 26 students by Year 5. The concentrations and interdisciplinary nature of the proposed program (mix of sociology and anthropology) should be attractive to a wide audience, and faculty will engage in a national recruiting effort by reaching out to peers, former students, and presenting at conferences. The University also believes that it can effectively attract students from the region not currently served by a university. The closest Ph.D. programs in sociology are at the University of New Mexico in Albuquerque and the University of Arizona in Tucson. Major feeder universities in the U. T. El Paso catchment area include New Mexico State University (Las Cruces), New Mexico School of Mines (Socorro), Western New Mexico University (Silver City), Eastern New Mexico University (Portales), Texas Tech (Lubbock), U. T. Permian Basin (Odessa), Sul Ross University (Alpine), and several universities in Ciudad Juárez.

Program Quality

There are 16 tenured/tenure-track core faculty within the Department of Sociology and Anthropology and seven support faculty for this program who are either qualified contingent faculty or tenured faculty from cognate departments (e.g., Criminal Justice). Core faculty research focuses on multiple subjects, including borders, spatial analysis, political economy, culture, health, environment, society, and immigration. In the last five years, collectively the faculty have published 150 peer-reviewed papers, 55 book chapters, and 9 books.

U. T. El Paso’s Sociology and Anthropology Department has a strong publication record and is a global center in the increasingly important international field of Border Studies. The department is interdisciplinary (containing sociologists, anthropologists, and geographers), offering a comparative advantage to more narrowly focused sociology departments. Additionally, U. T. El Paso, with a majority Latinx student body, is on the cutting edge of filling the clear need for more Latinx scholars with Ph.D. degrees.

Revenue and Expenses

Expenses	5-Year Total
<i>Faculty</i>	
Salaries	\$1,165,777
Benefits (included in above)	
<i>Graduate Students</i>	
TA Salaries	\$1,455,500
TA Benefits (included in above)	
GRA Salaries (included in above)	
GRA Benefits (included in above)	
<i>Other Expenses</i>	
Supplies & Materials	\$439,050
Facilities	\$8,000
Total Expenses	\$3,068,327

Revenue	5-Year Total
<i>From Student Enrollment</i>	
Formula Funding	\$460,752
Tuition and Fees	\$461,049
<i>From Institutional Funds</i>	
Reallocation of Existing Resources	\$1,665,827
<i>From Other Revenue Sources</i>	
1. Expected grant funding 2. Diana Natalicio Graduate Fellows Program in Liberal Arts endowment	\$292,500
Total Revenue	\$2,880,128

Coordinating Board Criteria

The proposed program meets all applicable Coordinating Board criteria for new doctoral degree programs.

2c. U. T. Tyler: Approval to establish a Master of Science in Cyber Security and Data Analytics degree program

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the institutional president that authorization, pursuant to Regents' *Rules and Regulations*, Rule 40307, related to academic program approval standards, be granted to

- a. establish a Master of Science in Cyber Security and Data Analytics degree program at U. T. Tyler; and
- b. submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

BACKGROUND INFORMATION

Program Description

U. T. Tyler proposes to establish a Master of Science (M.S.) degree program in Cyber Security and Data Analytics. The degree program is designed to prepare graduates for careers in cyber security and/or data analytics. The program will consist of 36 semester credit hours (SCH) to include foundational courses and coursework specific to critical issues in cyber security and data analysis. The program will be delivered fully online.

Need and Student Demand

Cyber security and data analytics are among the top five jobs for growth in the United States. In Texas, cyber security jobs are projected to increase 41.6% over the next six years. Cyber security has a near-zero unemployment rate and an average annual salary of \$110,000. Every cyber security job generates \$224,000 in economic output and \$124,000 in compensation within the industry (Texas Comptroller of Public Accounts, 2018). Nationally, information security analyst jobs are projected to increase 31% from 2019 to 2029. The 2020 median salary for an information security manager was \$103,590 (U.S. Department of Labor, 2020).

The data analytics field is projected to have strong growth with the number of jobs increasing by 28% or roughly 11.5 million through 2026 (U.S Department of Labor, 2020). According to Analytics Insight, the global market for big data is forecast to grow at a compounded annual growth rate (CAGR) of 10.9% from \$179.6 billion in 2019 to \$301.5 billion in 2023. Simultaneously, big data market funding will rise to \$4.5 billion from \$2.7 billion in 2019 with a CAGR of 13.5% in

the same period (Analytic Insight, December 2020). In Texas, the May 2020 Occupational Employment and Wage Estimates for data scientists was \$104,170 (Texas Comptroller of Public Accounts, 2020).

Enrollment in existing master's-level cyber security programs in Texas has increased 151% from 102 students to 256 students in 2015. During the same period, enrollment in master's-level business analytics programs has increased from 206 to 1,074 students and peaked at 1,340 students in 2019 before the pandemic. The growth percentage increase equates to 650% during the four years preceding the pandemic and 521% if 2019-2020 is included. The projected number of students begins with 18 in Year 1 and will increase to 124 by Year 5.

Program Quality

The proposed program will have seven core faculty, which is consistent with similar programs in the state and the nation. One new full-time position for a faculty member holding a terminal degree with a focus in cyber security and one new full-time position for a faculty member with a terminal degree with a focus in data analytics are included in the proposal. Two support faculty, one from management and one from marketing will provide support for the program.

Cyber security and data analytics are strategic initiatives of the Soules College of Business. The Computer Science Department has led the effort with the development of cyber security and data analytics curricular content within four existing undergraduate and graduate degree programs.

The goal for the program is to become a National Center of Academic Excellence, which is operated by the National Security Agency and the Central Security Services. More specifically, the program faculty plan for the program is to become a National Center of Excellence in Cyber Defense Education (NCAE-CD). This will be followed by efforts to become a National Center of Excellence in Cyber Defense Research and in Cyber Operations. The expectation is to move towards NCAE-CD within two years of the start of the program and to complete all three designations with five years.

Recruitment strategies include partnerships with businesses, education, healthcare, and local governments throughout East Texas and Texas. Outreach efforts with regional partners such as East Texas Historically Black Colleges and Universities, the Texas Hispanic Business Organization, and the Texas Association of African American Chambers of Commerce are planned to ensure equity, diversity, and inclusive representation in the program.

Revenue and Expenses

Expenses	5-Year Total
<i>Faculty</i>	
Salaries	\$2,135,738
Benefits	\$533,935
<i>Graduate Students</i>	
GRA Salaries	\$322,000
GRA Benefits	-
<i>Other Expenses</i>	
Online Proctoring Services	\$105,000
Total Expenses	\$3,096,673

Revenue	5-Year Total
<i>From Student Enrollment</i>	
Formula Funding	\$2,909,025
Tuition and Fees	\$4,604,210
<i>From Institutional Funds</i>	
First Year Faculty & Student Support	\$302,324
Total Revenue	\$7,815,559

Coordinating Board Criteria

The proposed program meets all applicable Coordinating Board criteria for new doctoral degree programs.

3. U. T. Permian Basin: Discussion and appropriate action regarding proposed changes to admission criteria for the Master of Business Administration and Master of Professional Accountancy degree programs

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the institutional president that the U. T. System Board of Regents approve changes to the criteria for admission to the Master of Business Administration and Master of Professional Accountancy degree programs at U. T. Permian Basin as described on the following pag.

BACKGROUND INFORMATION

U. T. Permian Basin proposes new changes to both the Master of Business Administration and Master of Professional Accountancy degree programs. The changes are in line with current trends, which are supported by research. The changes are summarized as follows:

For regular admission, rather than requiring a minimum Grade Point Average (GPA) of 3.25, consideration will be given to applicants with a GPA of 3.0 and above or equivalent on a 4.0 scale in the undergraduate degree from an accredited university.

In addition, U. T. Permian Basin requests approval to modify the Graduate Management Admission Test (GMAT) requirement for conditional admission of applicants with a GPA between 2.5 and 2.99. The current conditional admission criteria for such applicants require an undergraduate GPA between 2.5 and 2.99, an additional 12 hours of specified coursework with a grade of B or better, and GMAT scores, depending on grades in the 12 hours of coursework. Under the proposed new criteria, applicants must take 12 hours of specified coursework, provide two letters of recommendation, and submit GMAT scores if a grade lower than B is earned in any of the 12 hours of coursework. If the conditionally admitted students earns a grade lower than a B in any of the four courses, they will have to submit GMAT scores.

Finally, rather than denying admission to all applicants with a GPA below 2.5, applicants with a GPA between 2.25 and 2.49 will be able to apply for conditional admission by submitting GMAT scores, a personal essay, two letters of recommendations and by taking four courses as advised and earning a grade of B or better.

Current Regular Admission Criteria	Proposed Regular Admission Criteria
<ul style="list-style-type: none"> Undergraduate Grade Point Average (GPA) of 3.25 and above or equivalent on a 4.0 scale. <p>Upon admission, students will be evaluated for statistical literacy. Students who need additional skills in this area are referred to BUSI 2342 Statistical Literacy until literacy requirement is fulfilled. Statistical Literacy BUSI 2342 must be remedied in the first semester in which the student is accepted into the MBA program and must be taken before the student enrolls in FINA 6320, FINA 6321, BUSI 6302, MRKT 6302, MNGT 6366 or electives in accounting, finance, management, or marketing.</p>	<ul style="list-style-type: none"> Undergraduate Grade Point Average (GPA) of 3.25 <u>3.00</u> and above or equivalent on a 4.0 scale <u>in the undergraduate degree, from an accredited university.</u> <p>Upon admission, students will be evaluated for statistical literacy. Students who need additional skills in this area are referred to BUSI 2342 Statistical Literacy <u>or equivalent</u> until literacy requirement is fulfilled. Statistical Literacy BUSI 2342 must be remedied in the first semester in which the student is accepted into the MBA program and must be taken before the student enrolls in FINA 6320, FINA 6321, <u>ACCT 6301</u>, BUSI 6302, <u>MRKT 6310</u>, <u>MNGT 6320</u>, MNGT 6366 or <u>electives in accounting, finance, management, or marketing business electives.</u></p>

Current Conditional Admission	Proposed Conditional Admission
<ul style="list-style-type: none"> • Conditional admission with dean’s approval: UG GPA between 2.99 and 2.5 or equivalent on a 4.0 scale. <p>Condition/s</p> <ol style="list-style-type: none"> 1. To take 12 hours as advised and make a “B” or better to achieve regular admission status. 2. GMAT requirement to be determined based on the grades from the 12 hours/4 courses as advised. 	<ul style="list-style-type: none"> • Conditional admission with dean’s approval: UG GPA between 2.99 and 2.5 or equivalent on a 4.0 scale. <p><u>Condition/s The following conditions will apply:</u></p> <ol style="list-style-type: none"> 1. To take12 hours/<u>4 courses</u> as advised and make a “B” or better to achieve regular admission status. 2. GMAT requirement to be determined based on the grades from the 12 hours/4 courses as advised. 2. <u>Two letters of recommendation and/or references with professional email addresses.</u> 3. <u>If the conditionally admitted students receive below “B” in any of the 4 courses, (12 hours) then GMAT is required for readmission.</u>
<ul style="list-style-type: none"> • Denied: UG GPA less than 2.5 or equivalent on a 4.0 scale. 	<ul style="list-style-type: none"> • <u>Denied: Conditional admission with dean’s approval: UG GPA less than 2.5 between 2.49 and 2.25</u> or equivalent on a 4.0 scale. <p><u>The following conditions will apply:</u></p> <ol style="list-style-type: none"> 1. <u>GMAT with minimum score of 500 but determined based on the GPA.</u> 2. <u>Personal essay reflecting interest in graduate studies may be requested.</u> 3. <u>2 letters of recommendation and/or references with professional email addresses.</u> 4. <u>12 hours/4 courses as advised and make a “B” or better to achieve regular admission status.</u>

4. U. T. Tyler: Discussion and appropriate action regarding approval for use and implementation of new institutional marks for use as an academic logo

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor, the Interim Vice Chancellor for Business Affairs, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs concur in the recommendation of the Vice Chancellor for External Relations, Communications and Advancement Services and the institutional president that the Board of Regents approve the proposed new institutional marks for use as an academic logo as set forth on the following pages.

BACKGROUND INFORMATION

U. T. Tyler and U. T. Health Science Center - Tyler officially merged on January 1, 2021, to comprehensively serve the educational, health, and economic needs of East Texas. Following that merger, U. T. Health Science Center - Tyler retained its status as a health-related institution and administratively became an instructional site of U. T. Tyler. Several complex administrative, operational, and strategic activities are underway to ensure a full and seamless integration of the two institutions. One important element of those activities has been to address the need for one cohesive brand to better establish an identity for students, faculty, staff, and patients, to create an organized brand standard for official use, and to promote outreach efforts with external constituents.

To that end, U. T. Tyler enlisted external agency expertise to lead a review of its current visual identity and conduct a design audit of current marks in use and to make recommendations related to a new mark. In addition, approximately 40 members of the U. T. Tyler community were consulted about logo color, symbolism, iconography, and typography to best represent Texas, Tyler, and the East Texas region.

Ultimately, the group determined that the strongest connections for the U. T. Tyler and U. T. Health East Texas brand were the star (already shared by both identities); a strong use of the color orange to heavily integrate the U. T. Tyler mark with the U. T. System mark; the shield (very distinctive to branding at other U. T. health institutions); and lastly, the laurels and the book (taken from the U. T. System seal). The group also recommended use of the typeface of the U. T. Health East Texas brand to further strengthen the association between the U. T. Tyler and health system's hospitals. The blue color was retained to respect the U. T. Tyler's existing color scheme, but also distinguish it from the health system without weakening the connection.

The proposed institutional marks will be used in all print and digital communications to provide an official academic logo for the university and each of its schools, departments, and offices. A tag line such as *Education. Research. Clinical Care.* will appear under the mark for marketing purposes to represent the three pillars of the U. T. Tyler mission.

A separate review of the current U. T. Tyler Patriots athletic logo has recently launched. The review will include participation from students, current and former athletes, alumni, and athletics staff. U. T. Tyler will bring a recommendation regarding any changes to the athletic logo to the Board of Regents in Spring 2022.

UT Tyler Academic Logo: Primary

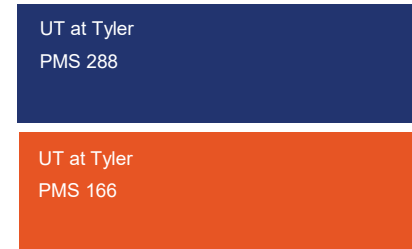
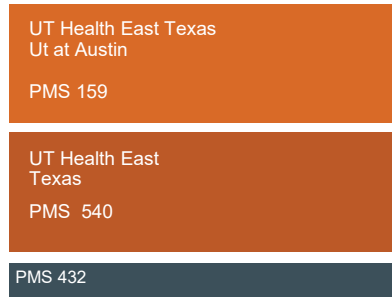
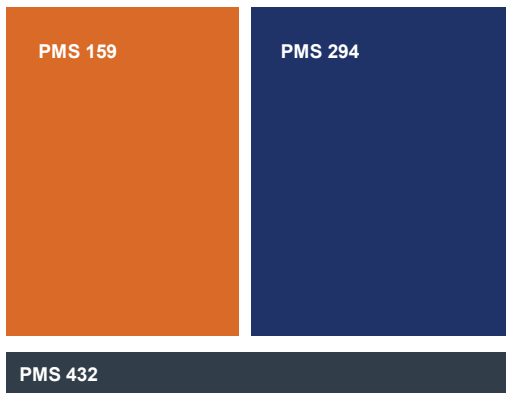


Color Palette

To ensure that the UT Tyler and UT Health East Texas brands feel cohesive and strong as a branded house, they will share the orange PMS 159 and gray PMS 432 colors of UT Health East Texas.

To retain UT Tyler’s brand equity, we will keep a blue as a color in the primary logo.

Recommended Colors



UT Tyler Academic Logo: Reversed



UT Tyler Academic Logo with UT Health East Texas



REPORT OF THE HEALTH AFFAIRS COMMITTEE (Pages 28 - 36).-- Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved by the Board in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration

There were no items referred from the Consent Agenda.

2. U. T. Health Science Center - San Antonio: Approval to create the School of Public Health in collaboration with The University of Texas at San Antonio

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Academic Affairs, the Vice Chancellor and General Counsel, and the institutional presidents that approval be granted to create the School of Public Health at U. T. Health Science Center - San Antonio in collaboration with U. T. San Antonio.

A PowerPoint presentation is set forth on the following pages.

BACKGROUND INFORMATION

The proposed U. T. School of Public Health will be formed as a collaborative school between U. T. Health Science Center - San Antonio and U. T. San Antonio. The school will build upon the complementary strengths of the San Antonio institutions in data science, behavioral science, epidemiology and biostatistics, and implementation science. The school will develop the next generation of public health professionals needed in South Texas to meet the unique health challenges in the region. The institutions plan to obtain Texas Higher Education Coordinating Board (THECB) approval and Southern Association of Colleges and Schools Commission of Colleges (SACSCOC) accreditation in 2023, and it plans to offer a Master of Public Health degree beginning in 2024. Accreditation from the Council on Education for Public Health will be achieved by 2027. The institutions will seek Board and THECB approvals as they develop future doctoral programs within the new school.

Texas Education Code Section 65.11 authorizes the Board of Regents to provide for the "...administration, organization, and names of the institutions and entities in The University of Texas System in such a way as will achieve the maximum operating efficiency of such institutions and entities...".

If approved by the Board of Regents, the Office of Health Affairs will notify the THECB of the change so that the U. T. Health Science Center - San Antonio administrative unit structure can be updated.

The University of Texas Health Science Center at San Antonio and The University of Texas at San Antonio

School of Public Health

William L. Henrich, M.D., MACP, President
Taylor Eighmy, Ph.D., President

U. T. System Board of Regents Meeting
Health Affairs Committee
November 2021



THE UNIVERSITY of TEXAS SYSTEM
THIRTEEN INSTITUTIONS. UNLIMITED POSSIBILITIES.

UTHSC-SA and UTSA will collaborate to establish a research intensive, community-centric school of public health

- Improves health and reduces morbidity and mortality in South Texas
- Addresses demand for public health professionals within San Antonio and border region
- Meets strong demand for public health education in the COVID-19 era
- Supports enthusiasm from regional partners for a local school of public health that prioritizes South Texas
- Leverages public health expertise at UTSA and UTHSC-SA
- Meets accreditation standards that permit and encourage collaborative schools of public health



Our collective strengths are the foundation of a school of public health serving South Texas

- Federally designated Hispanic serving institutions
- Established history of joint programs: Ph.D. in Translational Science, Biomedical Engineering
- Existing M.D./M.P.H. program
- Robust undergraduate Public Health Degree program
- History of research collaboration – National Institutes of Health, Clinical and Translational Science Awards Program; Cancer Prevention and Research Institute of Texas, Center for Innovative Drug Discovery
- Partnership with City of San Antonio and Bexar County



U. T. School of Public Health San Antonio will expand on core expertise

- School will build on core strengths of both institutions in:
 - Community engagement
 - Clinical informatics and analytics
 - Data science
 - State demography
 - Social determinants of health
 - Behavioral science
 - Epidemiology and biostatistics
 - Implementation science
 - Finance and business administration

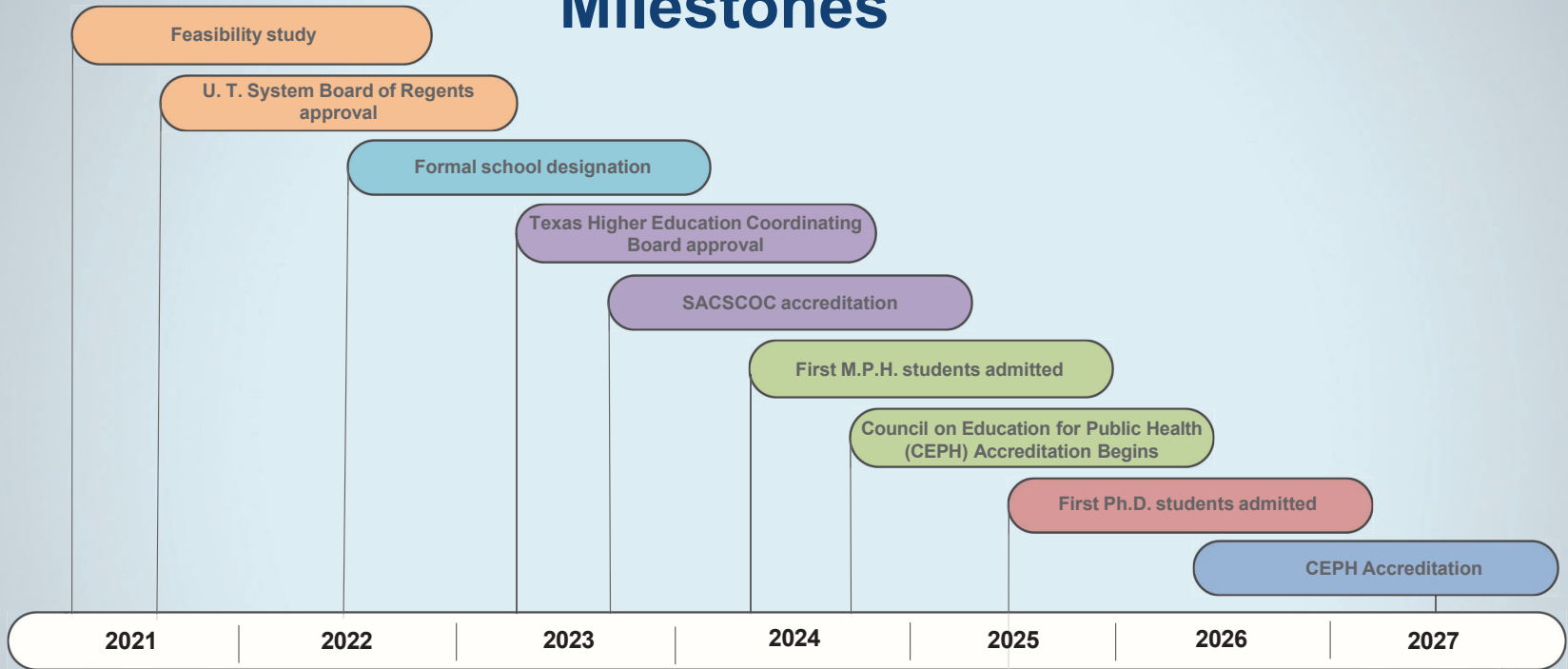


A Collaborative School of Public Health: UTHSC-SA and UTSA

- Serves as a cohesive public health strategy dedicated to the needs of South Texas
- Develops the next generation of public health professionals to serve the immediate needs of our 38-county catchment area (majority-minority city, U.S. Health Resources and Services Administration identified underserved rural, and urban)
- Permits developing new research and program development in growth areas such as evaluation, clinical informatics, population health
- Supports U. T. System in San Antonio as the established public health leader and community partner in South Texas



Milestones



3. U. T. Medical Branch - Galveston: Report and discussion regarding Correctional Managed Health Care Services to offenders in units operated by the Texas Department of Criminal Justice

This item was for consideration only by the Committee.

4. U. T. M. D. Anderson Cancer Center: and U. T. Health Science Center - Houston Update and discussion regarding TMC3 collaborative research development

This item was for consideration only by the Committee.

5. U. T. Southwestern Medical Center: Request to approve the honorific naming of the new Neuroscience Research Tower

The Board approved the following recommendation:

RECOMMENDATION

President Podolsky will make a recommendation with the support of the Chancellor, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor for External Relations, Communications, and Advancement Services concerning honorific naming of the Neuroscience Research Tower.

REPORT OF THE FACILITIES PLANNING AND CONSTRUCTION COMMITTEE
(Pages 37 - 44).--Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration

There were no items referred from the Consent Agenda.

2. U. T. Dallas: Arts and Performance Complex - Athenaeum, Phase I - Amendment of the current Capital Improvement Program to include project

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Interim Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) to include the Arts and Performance Complex - Athenaeum, Phase I project at The University of Texas at Dallas.

BACKGROUND INFORMATION

Previous Action

On August 12, 2019, the Chancellor approved this project for Definition Phase.

Project Description

The Arts and Performance Complex - Athenaeum, Phase I will house the Trammell and Margaret Crow Museum of Asian Art, along with other galleries, offices, seminar rooms, and space for art storage and conservation. Establishing the Athenaeum as part of the campus gateway, the two-story facility will be sited south of the Naveen Jindal School of Management building, and to the east of University Parkway.

This proposed project has been approved by U. T. System staff and meets the criteria for inclusion in the CIP. Approval of design development plans and authorization of expenditure of funding will be presented to the Board for approval at a later date.

**The University of Texas at Dallas
Arts and Performance Complex - Athenaeum, Phase I**

Project Information

Project Number	302-1254
CIP Project Type	New Construction
Facility Type	Other
Management Type	Office of Capital Projects
Institution’s Project Advocates	Amy Hofland, Sr. Director, Crow Museum of Asian Art Calvin D. Jamison, VP Facilities and Economic Dev. Rafael Martin, VP and Chief of Staff Inga H. Musselman, Provost and VP Academic Affairs
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	57,408

Project Funding

Gifts	<u>Proposed</u> \$33,800,000
Revenue Financing System Bond Proceeds ¹	<u>23,000,000</u>
Total Project Cost	\$56,800,000

¹ RFS funds to be repaid from institutional funds

Project Cost Detail

	Cost
Building Cost	\$40,394,206
Fixed Equipment	-
Site Development	2,415,000
Furniture and Moveable Equipment	500,000
Institutionally Managed Work	850,000
Architectural/Design Services	4,766,177
Project Management	1,700,000
CIP Support Services	100,000
Insurance	933,500
Other Professional Fees	1,350,080
Project Contingency	1,601,264
Other Costs	2,189,773
Total Project Cost	\$56,800,000

Building Cost per GSF Benchmarks (escalated to midpoint of construction)

Arts and Performance Complex – Athenaeum, Phase I	\$704		
Museum/Performing Arts in Dallas (Regional Cost Data)	\$668-\$835		
	Low Quartile	Median	High Quartile
Other U. T. System Projects	\$771	\$1,240	\$1,919
Other National Projects	\$407	\$732	\$1,039

**The University of Texas at Dallas
Arts and Performance Complex - Athenaeum, Phase I
(continued)**

Investment Metrics

- Assume stewardship of art collections by 2024

Project Planning

Definition Phase Completed	Yes
Owner’s Project Requirements	Yes
Basis of Design	Yes
Schematic Design	Yes
Detailed Cost Estimate	Yes

Project Milestones

Definition Phase Approval	August 2019
Addition to CIP	November 2021
Design Development Approval	February 2022
Construction Notice to Proceed	July 2022
Substantial Completion	March 2024

Basis of Design

The planned building life expectancy includes the following elements:

- Enclosure: 50 years
- Building Systems: 25 years
- Interior Construction: 25 years

3. U. T. M. D. Anderson Cancer Center: ACB, Main Building and Sugar Land Pharmacy Modifications - Amendment of the current Capital Improvement Program to include project; approval of total project cost; and appropriation of funds

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Interim Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) to include the ACB, Main Building and Sugar Land Pharmacy Modifications project at The University of Texas M. D. Anderson Cancer Center as follows:

- a. amend the current CIP and approve a total project cost of \$17,000,000; and
- b. appropriate funds of \$17,000,000 from Hospital Revenues.

BACKGROUND INFORMATION

Previous Action

On September 16, 2021, the Chancellor approved this project for Definition Phase.

Project Description

The proposed pharmacy modifications inclusive of cleanroom renovations, are necessary to bring the pharmacies and cleanrooms up to required compliance with regulations as stipulated by United States Pharmacopeia (USP) 797, requirements related to ensuring safety and quality of compounded products, and USP 800, protecting healthcare workers who interact with hazardous drugs. These USP standards are used for credentialing by The Joint Commission and to set regulatory agency compliance standards that are used by Centers for Medicare and Medicaid Services and the Texas State Board of Pharmacy. Hazardous and non-hazardous sterile compounding, in a compliant and safe cleanroom environment, is required to meet the institutional strategic objective and facility plan for provision of pharmacy services and medications to patients.

This project includes the modification of ten pharmacies in total, that are located on: Floors 2 and 8 of the Lowry and Peggy Mays Clinic (originally known as the Ambulatory Clinical Building or ACB), Floors 1, 2, 5, 7, 9, and 14 of the Main Building complex, and in the Sugar Land Houston-area location. The project will include modifications to the air handling systems that serve these relatively compact areas, ingress, egress, and access control for these areas, and the change out of certain architectural finishes. Due to limitations on when pharmacies can be temporarily closed to effect the modifications, the work is to be completed sequentially, which will result in a construction duration of three to four years.

This proposed repair and rehabilitation project has been approved by U. T. System staff and meets the criteria for inclusion in the CIP. Design development plans and authorization of expenditure of funding will be presented to the President for approval at a later date. Pursuant to a Memorandum of Understanding effective September 1, 2020, U. T. M. D. Anderson Cancer Center has delegated authority for institutional management of construction projects under the continued oversight of the Office of Capital Projects.

**The University of Texas M.D. Anderson Cancer Center
ACB, Main Building, Sugar Land Pharmacy Modifications**

Project Information

Project Number	703-1390
CIP Project Type	Repair and Rehabilitation
Facility Type	Healthcare Facility, Hospital
Management Type	Institutional Management
Institution’s Project Advocate	Susan Spivey, Pharmacy Operations Manager
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	12,900

Project Funding

Hospital Revenues	<u>Proposed</u> <u>\$17,000,000</u>
Total Project Cost	\$17,000,000

Project Cost Detail

	Cost
Building Cost	\$12,200,000
Fixed Equipment	1,400,000
Site Development	-
Furniture and Moveable Equipment	400,000
Institutionally Managed Work	412,000
Architectural/Design Services	1,110,000
Project Management	-
CIP Support Services	-
Insurance	-
Other Professional Fees	-
Project Contingency	1,478,000
Other Costs	-
Total Project Cost	\$17,000,000

Project Planning

Definition Phase Completed	Yes
Owner’s Project Requirements	Yes
Basis of Design	Yes
Schematic Design	Yes
Detailed Cost Estimate	Yes

Project Milestones

Definition Phase Approval	September 2021
Addition to CIP	November 2021
Design Development Approval	November 2021
Construction Notice to Proceed	September 2020
Substantial Completion	July 2024

4. U. T. M. D. Anderson Cancer Center: Renovate Alkek Hospital - Main Building - Floor 12 - Amendment of the current Capital Improvement Program to increase total project cost; and appropriation of funds and authorization of expenditure

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Interim Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents approve the recommendations for the Renovate Alkek Hospital - Main Building - Floor 12 project at The University of Texas M. D. Anderson Cancer Center as follows:

- a. amend the current CIP to increase the total project cost from \$14,500,000 to \$17,800,000; and
- b. appropriate funds and authorize expenditure of \$3,300,000 with additional funding from Hospital Revenues.

BACKGROUND INFORMATION

Previous Actions

On March 14, 2018, the Chancellor approved this project for Definition Phase. On November 14, 2019, the project was included in the CIP with a total project cost of \$14,500,000 with funding from Hospital Revenues. On November 15, 2019, the president approved the design development plans and authorized expenditure of funds.

Project Description

The original project included general renovations throughout Floor 12 of the Alkek Hospital to renew finishes and infrastructure systems, to restore patient rooms that had been partially removed from service to full service, to renovate the nurse stations, and to enclose medicine preparation areas. Floor 11 was also impacted as hard ceilings on that floor will need to be removed and replaced. The renovations are needed to increase clinical capacity, improve the overall patient experience, and bring the sterile processing area into compliance with accreditation requirements promulgated by The Joint Commission.

Due to the pandemic, final construction documents were prepared but placed on hold. This increase in the total project cost is related to the decision to enhance the patient care environment within the palliative care unit through the installation of an upgraded LED adjustable lighting system, a tranquil sound system, and patient safety lifts with related infrastructure; the replacement of the nurse call system

throughout the floor; and increased costs due to general inflation in construction costs associated with the pandemic.

Pursuant to a Memorandum of Understanding effective September 1, 2020, U. T. M. D. Anderson Cancer Center has delegated authority for institutional management of construction projects under the continued oversight of the Office of Capital Projects.

**The University of Texas M.D. Anderson Cancer Center
Renovate Alkek Hospital – Main Building – Floor 12**

Project Information

Project Number	703-1176
CIP Project Type	Repair and Rehabilitation
Facility Type	Healthcare Facility, Hospital
Management Type	Institutional Management
Institution’s Project Advocate	Carol Porter, Senior VP and Chief Nursing Officer
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	44,500

Project Funding

	<u>Current</u>	<u>Proposed</u>
Hospital Revenues	<u>\$14,500,000</u>	<u>\$17,800,000</u>
Total Project Cost	\$14,500,000	\$17,800,000

Project Cost Detail

	Cost
Building Cost	\$13,500,000
Fixed Equipment	-
Site Development	-
Furniture and Moveable Equipment	1,200,000
Institutionally Managed Work	-
Architectural/Design Services	1,080,000
Project Management	150,000
CIP Support Services	-
Insurance	197,050
Other Professional Fees	-
Project Contingency	1,393,000
Other Costs	279,950
Total Project Cost	\$17,800,000

Project Planning

Definition Phase Completed	Yes
Owner’s Project Requirements	Yes
Basis of Design	Yes
Schematic Design	Yes
Detailed Cost Estimate	Yes

**The University of Texas M.D. Anderson Cancer Center
Renovate Alkek Hospital – Main Building – Floor 12**
(continued)

Project Milestones

Definition Phase Approval	March 2018
Addition to CIP	November 2019
Design Development Approval	November 2019
Construction Notice to Proceed	April 2020
Substantial Completion	February 2023

APPROVAL OF STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD.--At 9:53 a.m., the Board voted and unanimously approved the Standing Committee recommendations.

AGENDA ITEMS

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

Chairman Eltife noted the following related to the Consent Agenda:

- Item 4 requests amendment to the U. T. System agreement with EdCERT LLC, to provide credentialing for health faculty in teaching practices necessary for student success.
- I will abstain from discussion and vote on Consent Agenda Item 11, as it relates to the contract agreement with Coca-Cola Southwest Beverages, LLC, due to financial interests.
- Under Items 23 and 24, U. T. Rio Grande Valley requests approval for terms of employment agreements for the new Head Men's Basketball Coach and the current Vice President and Director of Athletics.
- Item 34 requests approval for a contract for U. T. Medical Branch - Galveston related to Correctional Managed Care Services for inmates in units operated by the Texas Department of Criminal Justice.
- Item 41 asks the Board to make a finding, as required by our Rules, that the appointment of Dr. William Pate as Chair of the Texas Radiation Advisory Board is in the best interest of the State and the U. T. System and not in conflict with his position at U. T. Medical Branch - Galveston.
- Item 48 requests approval for revisions to the Comprehensive Leave Program at U. T. M. D. Anderson Cancer Center.

Vice Chairman Longoria moved approval on the Consent Agenda, which was seconded by Regent Crain. The Board then approved the Consent Agenda, which is set forth on Pages 68 - 110.

In approving the Consent Agenda, the Board expressly authorized that any contracts or other documents or instruments approved therein may be executed by officials of the University of Texas System or respective U. T. institution involved, as appropriate.

2. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations*, Rule 20203 (Compensation for Key Executives), Sections 2, 4, and 5, regarding executive compensation market review

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor and the General Counsel to the Board recommend that the U. T. System Board of Regents approve revised language for Regents' *Rules and Regulations*, Rule 20203 (Compensation for Key Executives), Sections 2, 4, and 5, as set forth below:

Sec. 2 Market Review. To align executive compensation with the relevant market, ~~U. T. System Administration will the Office of the Board of Regents will oversee the conduct of a comprehensive survey and analysis to~~ obtain current and reliable market data on total compensation of key executives in comparable positions at peer institutions. ~~Market data will be adjusted using cost of living information related to respondent's geographic region. The survey will be conducted every three years. In non-survey years, the Office of the Board of Regents will obtain information concerning general changes in executive compensation in the marketplace, and the comprehensive survey will be adjusted accordingly.~~

...

Sec. 4 Peer Institutions. Peer institutions or groups of institutions will be ~~determined by the Chancellor after consultation with the presidents and based on factors including size, mission, budget, and program mix selected through an interactive, consultative process between the Chancellor, Executive Vice Chancellors, presidents, and the organization engaged to conduct the comprehensive survey. To the extent possible, the same institutions will be surveyed during each comprehensive survey. Peer institutions may be changed based on sound business decisions; such changes will be fully disclosed to the Board of Regents. The Executive Vice Chancellors will maintain the list of peer institutions. Factors to consider in selecting peer institutions include size, purpose, institutions used in assessing U. T. System performance and those from which U. T. System competes for key executives.~~

Sec. 5 Approval by Board of Regents. All proposed elements of compensation, including taxable and nontaxable items, will be presented to the Board of Regents for approval ~~in advance of the annual budgeting process.~~

...

BACKGROUND INFORMATION

Regents' Rule 20203 details a very specific and inflexible process to obtain market data, which allow the Board of Regents to compensate key executives at levels that are competitive in the marketplace, cost effective, and, to the extent possible, internally equitable. Currently, the rules require a comprehensive market survey be conducted by an external party every three years. The proposed revisions are intended to add flexibility, when needed, to allow the collection of market data in a manner determined the most efficient and cost-effective in a particular year, recognizing that the U. T. System Administration has the expertise required for this purpose. The proposed changes also include editorial changes to streamline the language of the Rule and clarify its intent.

The Chancellor will continue to ensure that comparable market information will be updated on a periodic basis, approximately every three years, and that current market information is available for reference before the commencement of any presidential search.

This revision does not impact the full-time equivalent (FTE) employee count Systemwide and could result in cost savings, depending on what methods are used for future market data collection and analysis. 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.

3. U. T. System Board of Regents: Discussion and appropriate action regarding proposed amendment to Regents' *Rules and Regulations*, Rule 31001 (Faculty Appointments and Titles)

The Board approved the following recommendation:

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 Regents' *Rules and Regulations*, Rule 31001 (Faculty Appointments and Titles), be amended as set forth in congressional style on the following pages.

BACKGROUND INFORMATION

In Spring 2021, the Office of Academic Affairs (OAA) received a request from various U. T. institutions to add three honorific titles to Regents' Rule 31001, Faculty Appointments and Titles. The request prompted a full review of the Rule to ensure that its content reflected current practices and titles across the U. T. institutions. This effort included collaboration with provosts and other representatives from academic and health institutions, the Faculty Advisory Council, the Office of Institutional Research and Analysis, and the Office of General Counsel. After an initial data analysis on the frequency of use for faculty titles, OAA sought feedback and edits

from various stakeholders and circulated changes to the institutions for final feedback.

Proposed substantive changes to the rule include the addition of three honorific titles: Distinguished Research Professor, Distinguished University Professor, and Distinguished Service Professor. Other proposed titles include Adjunct Instructor, Senior Clinical Instructor, and Distinguished Clinical Instructor. Other changes are for clarity and reorganization.

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.

1. Title

Faculty Appointments and Titles

2. Rule and Regulation

- Sec. 1 Introduction. *Texas Education Code* [Section 51.943](#) outlines the steps Texas public institutions of higher education must follow in reappointing faculty. That statute specifies that faculty members as defined in Subsection 2.1 and 2.2 who are to be reappointed shall be offered a written contract at least 30 days prior to the beginning of the academic year. The statute also outlines the steps an institution ~~of the System~~ must take if it is unable to provide a written contract, commonly referred to as a Memorandum of Appointment, within the specified time frame. ~~It is important that~~ The content of such contracts must appropriately reflect the rights of the institution and the faculty. The terms and conditions of employment of all faculty members shall be embodied in a Memorandum of Appointment in the form and containing the content specified in the standard contracts found on the web site of the U. T. System Administration's Office of General Counsel.
- Sec. 2 Academic Titles. To achieve consistency in the use of academic titles among the institutions of the System, the following Subsections describe the use of titles to apply in all institutions.
- 2.1 Tenure Titles. The three titles Professor, Associate Professor, and Assistant Professor. These titles, and the titles listed in Subsection 2.3, with the exception of 2.3(g), are Except for the titles Regental Professor and Regents' Research Scholar, the only titles to be used in which faculty members may hold tenure or be on the tenure track. Tenured or tenure-track faculty members with one of these three titles may also simultaneously hold honorific titles as described in Subsection 2.3. The conferring of an honorific title does not change a faculty member's tenure or tenure-track status except as described in Subsection 2.3. are as follows:
- ~~(a) Professor~~
 - ~~(b) Associate Professor~~
 - ~~(c) Assistant Professor~~
- 2.2 ~~Other NonTenure-Track~~ Titles. The academic titles listed in this subsection may also be used by U. T. institutions. Tenure may not be awarded to an individual appointed to one of these titles.

Academic service with these titles, with the exception of the title of Instructor, does not allow for the accrual of time toward tenure.

Appointments shall terminate at the expiration of the stated period of appointment without notification of nonrenewal, except for appointments to the title of Instructor. Instructor appointments may only be terminated in accordance with Regents' Rule 31008.

If an institution determines that it is to the benefit of the institution, it may offer reappointments to faculty holding these titles in accordance with *Texas Education Code* Section 51.943, except that an institution may not offer reappointments to individuals holding the titles Visiting Professor, Visiting Associate Professor, or Visiting Assistant Professor. Such reappointments may be renewed annually for one, two, or three years.

~~The following academic titles may also be used by the institutions of the U. T. System. Tenure may not be awarded to a person appointed to these titles. With the exception of the title of Instructor, academic service with these titles may not be counted toward the satisfaction of any maximum probationary period. Appointments to these titles shall be for a period of time not to exceed one academic year except in the case of Lecturer, Senior Lecturer, or a clinical or research position with a title authorized by Section 2.2(g) below when an appointment may be for periods of time not to exceed three academic years. With the exception of the title of Instructor, such appointments shall terminate at the expiration of the stated period of appointment without notification of nonrenewal. Except for the titles described in Sections 2.2(n) and 2.2(o), if an institution determines that it is to the benefit of the institution, it may offer reappointments to these titles in accordance with *Texas Education Code* Section 51.943 and may provide annual renewability of two- and three-year appointments.~~

- (a) Instructor. This title denotes a probationary teaching appointment and may allow for the accrual of time toward tenure.
- (b) Lecturer. This title may be used for individuals who will augment and complement regular teaching faculty, ~~serve as Teachers and whose teaching experience and qualifications are comparable to those of faculty members in untenured, tenure-track positions.~~ Upon approval by the president, an institution may identify up to three divisions within this rank to be designated Lecturer I, Lecturer II, and Lecturer III.

- (c) Senior Lecturer. This title may be used for individuals Teachers who will augment and complement regular teaching faculty and who demonstrate excellence in service and performance in their experience and qualifications ~~and whose teaching experience and qualifications are comparable to those in tenure positions.~~

- (d) Distinguished Senior Lecturer. This title may be used for individuals Teachers who will augment and complement regular teaching faculty and who demonstrate excellence in service and performance in their experience and qualifications. ~~se teaching experience and qualifications demonstrate extraordinary service and performance.~~

- (e) Faculty Associate. This title may be used for an individual who is participating in nonteaching clinical practices or may be applied to for an individual person assigned to a research or nonteaching center, institute, or other unit or interdisciplinary program of an institution.

- (f) Specialist. This title may be used for professional individuals who will serve as practitioners in specific areas of instruction, training, or supervision. In accordance with institutional policy, the title may carry appropriate descriptive prefixes ~~so as~~ to indicate the specific areas of proficiency, such as Practice Teaching Specialist, Physical Activity Specialist, or Social Work Field Training Specialist.

- (g) Professor of (title of specialty), Associate Professor of (title of specialty), Assistant Professor of (title of specialty), and Instructor of (title of specialty). ~~Patient Care or Research.~~ These titles may be used for individuals Persons appointed to full-time or part-time positions for the primary purpose of patient care and other service activities or to full-time or part-time positions for the primary purpose of research activities ~~shall be given one of the following titles~~, even though the individuals may be assigned teaching responsibilities. \therefore
 - (1) ~~Professor of (title of specialty)~~
 - (2) ~~Associate Professor of (title of specialty)~~
 - (3) ~~Assistant Professor of (title of specialty)~~
 - (4) ~~Instructor in (title of specialty)~~

- (h) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of ~~individuals persons~~ either visiting from other institutions where they hold similar ranks or who are brought to the institution on a trial basis. Such appointments are limited to two years and are not renewable.
- (i) Adjunct Professor, Adjunct Associate Professor, ~~and~~ Adjunct Assistant Professor, and Adjunct Instructor. One of these titles may be used when a qualified ~~person individual~~ from business, industry, government, private practice, or another institution of higher education may be participating in teaching or, research, or clinical care teaching a course or participating in the teaching of a course at a one of the U. T. institutions. For the health institutions, this prefix should be used only for those persons not involved in patient care who otherwise satisfy the above criteria. Appointments to the faculty with an adjunct title may be with or without pay and shall be for a stated period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without notification of nonrenewal.
- (j) Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, ~~and~~ Clinical Instructor, Senior Clinical Instructor, Distinguished Clinical Instructor. These titles may be used by the institutions of the U. T. System to designate regular part-time or full-time service on the faculty while involved in research or a professional clinical experience program. Appointments to the faculty with a clinical title may be with or without pay and shall be for a period of time not to exceed three academic years. Such appointments shall terminate upon expiration of the stated period of appointment without notification of nonrenewal.
- (k) Adjoint Professor, Adjoint Associate Professor, and Adjoint Assistant Professor. These titles may be used by the institutions of the U. T. System to designate faculty who serve the institution in cooperative or joint programs pursuant to a memorandum of understanding, cooperative research and development agreement, or similar partnership instrument. ~~Persons Individuals~~ holding these titles will be employees of and compensated by the partnership organization. They will not be deemed employees of the institution. They will, however, have the same obligations, responsibilities, and authority as regular faculty employed directly by the institution when performing faculty functions pursuant to the agreement. Appointments will

usually be part-time for the purpose of supervising theses and dissertations or for the teaching of highly specialized courses. The term of the appointment shall be specified in the agreement with the partner organization.

(l) Professor of Practice, Associate Professor of Practice, and Assistant Professor of Practice. These titles may be used by the institutions of the U. T. System to designate regular part-time or full-time service for faculty qualified to teach or conduct research by virtue of professional experience in lieu of typical academic credentials. Appointments to the faculty with these titles a Professor of Practice title may be with or without pay and shall be for a period of time not to exceed three academic years. Such appointments shall terminate upon expiration of the stated period of appointment without notification of nonrenewal.

(m) Professor of Instruction, Associate Professor of Instruction, and Assistant Professor of Instruction. These titles may be used by the institutions of the U. T. System to designate nontenure-track faculty primarily engaged in instruction. Appointments to the faculty with a Professor of Instruction title may be with or without pay and shall be for a period of time not to exceed three academic years. Such appointments shall terminate upon expiration of the stated period of appointment without notification of nonrenewal.

~~(n) Assistant Instructor or Graduate Teaching Associate. These titles may be used interchangeably for:~~

- ~~• certain graduate students teaching on a part-time or full-time basis who are in the last phase of their doctoral programs and who are unconditionally enrolled in graduate study, or~~
- ~~• persons who, because of the nature of their duties, such as in a laboratory or hospital, do not qualify for one of the usual academic titles and do not hold the academic training or professional distinction usually required for attaining tenured positions.~~

~~(o) Teaching Assistant. This title usually applies to graduate students who assist faculty and who are employed on a part-time basis.~~

2.3 Honoric Titles. Faculty members may hold multiple honorific titles at the same time.

- (a) Regental Professor. Any faculty member who is awarded the Nobel Prize or who has in the past been awarded the Nobel Prize may, upon recommendation of the president of the institution, the appropriate Executive Vice Chancellor, and the Chancellor, be given the title Regental Professor by the Board. Because of the great honor associated with the award of a Nobel Prize, institutional tenure is awarded to Regental Professors by virtue of the appointment to this rank.
- (b) Distinguished Teaching Professor. In recognition of their significant contributions to education, members of an institutional academy of distinguished teachers may use the honorific title Distinguished Teaching Professor. The use of this title may be conferred or removed only upon approval ~~by the president of the institution or by another official~~ in accordance with procedures included in the institutional *Handbook of Operating Procedures*.
- (c) Regents' Research Scholar. The Regents' Research Scholar program ended in 2017, and this title is no longer offered; however, faculty members with the title may retain it at U. T. institutions. Under the program, Aany tenure-track faculty recruit, ~~regardless of rank, would be~~ was eligible for ~~athe Regents' Research Scholar title. To be eligible for this title, the U. T. System institution would identify an important recruitment of a Regents' Research Scholar and obtain philanthropic commitments for the specific recruitment. Recipients of these monies would be known as Regents' Research Scholars for the duration of the financial support and could also bear the name of the donor.~~
- (d) Distinguished Research Professor. In recognition of their significant contributions to research, members of an institutional academy of distinguished researchers may use the honorific title Distinguished Research Professor. This title may be conferred or removed only upon approval in accordance with procedures included in the institutional *Handbook of Operating Procedures*.
- (e) Distinguished University Professor. In recognition of their significant contributions through membership in the National Academies (e.g., Medicine, Engineering, Science, Humanities) or an equivalent recognition, faculty may use the honorific title Distinguished University Professor. This title may be conferred

or removed only upon approval in accordance with procedures included in the institutional *Handbook of Operating Procedures*.

(f) Distinguished Service Professor. In recognition of their significant contributions through service to their institution or U.T. System; the profession; and/or the community, state, or nation, faculty may use the honorific title Distinguished Service Professor. This title may be conferred or removed only upon in accordance with procedures included in the institutional *Handbook of Operating Procedures*.

~~(d)~~ (g) Honorary Emeritus Titles. Honorary†Titles such as Dean Emeritus, Chair Emeritus, Professor Emeritus, and similar honorary designations may be given to an institution's retired faculty member or in anticipation of the retirement of a faculty member, effective upon retirement. The conferring of one of these titles is not automatic upon retirement and may be conferred only upon approval ~~by the president of the institution or by another official~~ in accordance with procedures included in the institutional *Handbook of Operating Procedures*.

2.4 Student, Trainee and Other Non-Faculty Titles

(a) Assistant Instructor and Graduate Teaching Associate. These titles may be used for:

- Enrolled graduate students or trainees (e.g., chief residents or fellows) who are teaching part-time or full-time and are the instructors of record for a course; or
- Individuals who, because of the nature of their duties, do not qualify for one of the usual academic titles.

(b) Graduate Teaching Assistant. This title may be used for graduate students who are not the instructor of record for a course but are employed on a part-time basis and assist faculty.

Sec. 3 Departure from an Administrative Position. Administrative and academic (faculty) titles, duties, and pay rates for individuals who hold both administrative and academic appointments are distinct and severable. Departure or removal from an administrative position does not impair the individual's rights and responsibilities as a faculty member.

3. Definitions:

~~Faculty Member – a faculty member is any individual holding an academic title listed above, with the exception of Assistant Instructors or Teaching Assistants.~~

None

4. Relevant Federal and State Statutes

Texas Education Code [Section 51.943](#) – Renewal of Faculty Employment Contracts

5. Relevant System Policies, Procedures, and Forms

~~U. T. System, Office of General Counsel, Standard Contracts – Memorandum of Appointment~~

None

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4. U. T. System Board of Regents: Recognition of recipients of the 2021 Regents' Outstanding Teaching Awards

PRESENTATION

The Board and Chancellor Milliken recognized the 2021 recipients for the Regents' Outstanding Teaching Awards, as listed below:

U. T. Arlington:

Alicia Rueda-Acedo, Ph.D.
Associate Professor of Spanish Translation and Literature
Distinguished Teaching Professor

U. T. Austin:

Nathaniel Brickens, D.M.A.
Mary D. Bold Regents Professor

Janice Fischer, Ph.D.
Professor

U. T. Dallas:

Carol Cirulli-Lanham, Ph.D.
Associate Professor of Instruction

U. T. Rio Grande Valley:

Josef Sifuentes, Ph.D.
Assistant Professor

U. T. San Antonio:

Gina Amatangelo, M.P.A.
Associate Professor of Practice

Luca Pozzi, Ph.D.
Assistant Professor

U. T. Southwestern Medical Center:

Vivienne Roche, M.D.
Professor

U. T. Medical Branch - Galveston:

Marjan Afrouzian, M.D., F.C.A.P.
Associate Professor

U. T. Health Science Center - Houston:

Harold Alonso Henson, R.D.H., M.Ed., Ph.D.
Associate Professor
Claire Narvaez Singletary, M.S., C.G.C.
Professor

U. T. Health Science Center - San Antonio:

Annette Occhialini, M.D., F.A.C.S.

Associate Professor/Clinical

Barbara S. Taylor, M.D., M.S.

Associate Professor

Assistant Dean for the M.D./M.P.H. Program

U. T. M. D. Anderson Cancer Center:

Ching-Wei D. Tzeng, M.D., F.A.C.S., F.S.S.O.

Associate Professor

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.

Up to 15 awards may be given across both academic and health institutions. The number of awards will be determined by the number of applications, recommendations from the review committee, and other factors.

5. **U. T. Austin: Allocation of \$10.6 million of Available University Fund (AUF) proceeds for the Texas Advanced Computing Center (TACC)**

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Interim Executive Vice Chancellor for Business Affairs that the U. T. System Board of Regents approve the allocation of \$10.6 million of Available University Fund (AUF) proceeds for the Texas Advanced Computing Center (TACC) at U. T. Austin. The allocated funding will provide continued support for TACC staff dedicated to the U. T. Research Cyberinfrastructure (UTRC).

BACKGROUND INFORMATION

U. T. Austin requests additional support for the Texas Advanced Computing Center (TACC) for continued operations and evolution of the U. T. Research Cyberinfrastructure (UTRC). TACC provides world-class computing resources to the research enterprise across the U. T. System and currently houses the largest university-based supercomputer in the world. UTRC funding opens up TACC resources to numerous students and faculty at all 13 U. T. institutions, continues the investment to maintain leadership in this critical technology area, and helps U. T. institutions attract top faculty across most science and engineering fields.

On November 14, 2013, the Board approved a \$10 million Permanent University Fund (PUF) allocation to design and construct an annex to the TACC and a \$2 million Available University Funds (AUF) allocation to support TACC staffing dedicated to the UTRC. On February 12, 2015, the Board authorized \$3.4 million in PUF for the Lonestar 5 Supercomputing System platform at TACC and network monitoring to support the UTRC. On August 20, 2015, the Board approved \$4.4 million in PUF and \$2.6 million in AUF to increase performance of the U. T. System Network to support growth in health, research, and administrative computing needs, including researchers who use TACC. On December 21, 2020, the Board approved an \$8.4 million PUF allocation for computing and large-scale data storage hardware at the TACC and a \$300,000 AUF allocation for Cybersecurity Audits.

If approved, the new AUF allocation will be used to continue funding for dedicated staff to the UTRC.

6. U. T. System: Discussion and appropriate action related to allocation of funding to support the Diana Natalicio Institute for Hispanic Education at U. T. El Paso

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor recommends that the U. T. System Board of Regents authorize allocation of \$1 million from the Internal Lending Program (ILP) to create the Regents' Endowed Distinguished Directorship at the new Diana Natalicio Institute for Hispanic Education at U. T. El Paso. The funds will be used to recruit and retain an exceptional administrative leader.

BACKGROUND INFORMATION

The Diana Natalicio Institute for Hispanic Education at U. T. El Paso will be dedicated to studying and implementing systemic changes that will allow greater access to higher education and lifetime achievement. The Institute will serve as a national resource and model for Hispanic student success. Central to U. T. El Paso's strategic plan, the Institute will support researchers and serve as an incubator for

novel educational strategies. It will promote diversification of the professoriate and professional development of administrators at Hispanic Serving Institutions, build broad partnerships with other institutions, and work on policy issues. Institute goals will be achieved using evidence-based practices in ways that affirm and support students' cultural and familial backgrounds.

The Institute is named in honor of Dr. Diana Natalicio, who served as president of U. T. El Paso for 31 years before her retirement in 2019. President Emerita Natalicio died on September 24, 2021. Among her many accomplishments was leading U. T. El Paso's national rise as a Carnegie 1 research institution. She was very committed to ensuring that underprivileged and first-generation Hispanic students had access to high quality higher education. The new Institute will work to further Dr. Natalicio's greatest aspiration.

Interim Executive Vice Chancellor for Business Affairs Terry Hull has determined that, following distribution of ILP for this Regents' Endowed Distinguished Directorship based on Board approval of this item, revenues generated through the ILP will exceed amounts needed to maintain a sufficient interest rate buffer to meet principal and interest due on external debt and to provide necessary liquidity.

RECESS TO EXECUTIVE SESSION.--At 10:04 a.m. the Board recessed to Executive Session, pursuant to *Texas Government Code* Sections 551.071 through 551.074, 551.076, and 551.089 to consider the matters listed on the Executive Session agenda.

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS.--Chairman Eltife reconvened the Board in Open Session at 10:45 a.m. to consider action on the following items.

- 1a. 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

No action was taken on this item.

- 1b. U. T. Southwestern Medical Center: Discussion and appropriate action regarding proposed compensation for W. P. Andrew Lee, M.D., FACS, Executive Vice President for Academic Affairs, Provost and Dean of U. T. Southwestern Medical School, and Professor, Department of Plastic Surgery (Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees)

Regent Stedman made the following motion:

I move that the U. T. System Board of Regents approve the proposed changes in compensation for individuals listed under Agenda Items 1b through 1e, within the parameters outlined and recommended in Executive Session.

I further move that the Board find that these compensation changes are in the best interest of U. T. Southwestern Medical Center, U. T. Health Science Center - Houston, and U. T. M. D. Anderson Cancer Center, as well as U. T. System as required by state law.

The motion was seconded by Vice Chairman Weaver and carried unanimously.

- 1c. U. T. Southwestern Medical Center: Discussion and appropriate action regarding proposed compensation for John J. Warner, M.D., MBA, Executive Vice President for Health System Affairs, and Professor, Department of Internal Medicine (Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees)

See related Item 1b for action taken in Open Session.

- 1d. U. T. Health Science Center - Houston: Discussion and appropriate action regarding proposed new hire and compensation for Danny Ramzy, M.D., Ph.D., FACC, FRCS, FACS, Chief of the Division of Cardiac Surgery, Cardiothoracic and Vascular Surgery Department (Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees)

See related Item 1b for action taken in Open Session.

- 1e. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed new hire and compensation for Omer Sultan, MHA, Senior Vice President and Chief Financial Officer (Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees)

See related Item 1b for action taken in Open Session.

2a. U. T. System Academic Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

Regent Perez made the following motion:

I move that the U. T. system Board of Regents authorize Chancellor Milliken, Vice Chancellor Safady, and the Presidents of U. T. Arlington and U. T. San Antonio to conclude negotiations necessary to finalize, approve, and accept gifts and to finalize and execute any agreements related to gift-associated namings consistent with the terms and conditions outlined and recommended in Executive Session.

The motion was seconded by Regent Crain and carried unanimously.

2b. U. T. System Health Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

See related Item 2a for action taken in Open Session.

3a. U. T. System Board of Regents: Discussion with Counsel on pending legal issues

No action was taken on this item.

3b. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U. T. System

No action was taken on this item.

3c. U. T. San Antonio: Discussion and appropriate action concerning legal issues regarding acquisition of real property, personal property, and tangible and intangible assets from Southwest School of Art

See related item 5a for Open Session action.

3d. U. T. Tyler: Discussion and appropriate action concerning legal issues regarding purchase of real property for future campus expansion, including a Medical Education Building, and finding of public purpose

See related item 5b for Open Session action.

- 3e. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action concerning legal issues regarding entering into an extended strategic collaborative relationship with Harris Health System related to the expansion of cancer care services and other mission related issues and finding of public purpose

See related item 5c for Open Session action.

4. 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

No action was taken on this item.

- 5a. U. T. San Antonio: Discussion and appropriate action regarding the purchase of improved real property totaling approximately 6.6 acres including 300 and 404 Augusta Street, 707, 801 and 811 North St. Mary's Street, and 1123 and 1201 Navarro Street, San Antonio, Bexar County, Texas, including personal property including equipment, furnishings, curricula, gifts, endowments, trusts, and other financial assets and other tangible assets, and intangible assets including name, logos and other intellectual property, from Southwest School of Art, a Texas nonprofit corporation, for future campus expansion; and resolution regarding parity debt

Vice Chairman Weaver made the following motion:

I move that the U. T. System Board of Regents take the following actions on behalf of U. T. San Antonio:

- a. authorize the acquisition of improved real property totaling approximately 6.6 acres including 300 and 404 Augusta Street, 707, 801 and 811 North St. Mary's Street, and 1123 and 1201 Navarro Street, San Antonio, Bexar County, Texas, including personal property such as equipment and furnishings, from Southwest School of Art, a Texas nonprofit corporation, for future campus expansion on terms in accordance with the parameters outlined in Executive Session;
- b. authorize the institutional President and Executive Vice Chancellor for Business Affairs to execute all documents, instruments, and other agreements, subject to approval of all such documents as to legal form by the Office of General Counsel, and to take all further actions deemed necessary or advisable to acquire the real property described above;

- c. authorize the acquisition of other personal property, including curricula, gifts, endowments, trusts, books and records, other financial assets, other tangible assets, and intangible assets including name, goodwill, going concern value, logos and other intellectual property, and the assumption of certain contracts from Southwest School of Art;
- d. authorize the institutional President to execute all other documents, instruments, and other agreements, subject to the approval of the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor and General Counsel, and, for endowment and gift matters, the Vice Chancellor for External Relations, Communications, and Advancement Services, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing recommendations.

I further move that, in approving this item, the Board make the finding required under Section 5 of the Amended and Restated Master Resolution establishing the Revenue Financing System relating to the issuance of parity debt on behalf of U. T. San Antonio in an aggregate amount not to exceed fair market value as established by independent appraisal and that this action satisfies the official intent requirements set forth in Section 1.150-2 of the Code of Federal Regulations.

The motion was seconded by Regent Crain and carried unanimously.

- 5b. U. T. Tyler: Discussion and appropriate action regarding (1) the purchase of an improved land assemblage for future campus expansion, including a Medical Education Building, consisting of approximately 5.37 acres bounded by South Beckham Avenue, East Lake Street, South Fleishel Avenue, Osler Drive and Hospital Drive in Tyler, Smith County, Texas, located at (a) 1034 East Lake Street, from The Lake Street Corporation; (b) 1025 Hospital Drive, from Stuart Irving Roosth, Ann Roosth Melamed, and Joseph Howard Roosth; and (c) 1000 Hospital Drive including surrounding property, from Tyler Regional Hospital, LLC, all for future campus expansion (2) the lease of 1034 East Lake Street to The Lake Street Corporation or its assignee for use by Alcoholics Anonymous; and (3) a finding of public purpose

Regent Crain made the following motion:

I move that the U. T. System Board of Regents take the following actions on behalf of U. T. Tyler:

- a. authorize the purchase of a total of approximately 5.37 acres of land from three separate owners bounded by South Beckham Avenue, East Lake Street, South Fleishel Avenue, Osler Drive and Hospital Drive in Tyler, Smith County, Texas located at 1034 East Lake Street from The Lake Street Corporation, 1025 Hospital Drive from Stuart Irving

Roosth, Ann Roosth Melamed and Joseph Howard Roosth, and 1000 Hospital Drive including surrounding property from Tyler Regional Hospital, LLC for future campus expansion on terms in accordance with the parameters outlined in Executive Session;

- b. authorize the lease of 1034 East Lake Street to The Lake Street Corporation or its assignee, for use by Alcoholics Anonymous on terms in accordance with the parameters outlined in Executive Session; and
- c. authorize the institutional President or designee to execute all documents, instruments, and other agreements, subject to approval by the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel, and to take all further actions deemed necessary to carry out the purpose and intent of the foregoing actions.

I further move that, in approving this item, the Board make findings that:

- 1. the expenditure of funds for the proposed purchase of 1025 Hospital Drive and 1034 East Lake Street and the proposed lease-back of the latter support the public mission of and serve public purposes appropriate to the functions of U. T. Tyler;
- 2. U. T. Tyler will have sufficient safeguards in place to ensure the public purpose will be met on an ongoing basis, including full control of the development and use of the property outside of the short-term leasehold rights granted to The Lake Street Corporation or its assignee; and
- 3. pursuant to the purchase agreements and the lease agreement, and in light of the assembled value of the property to U. T. Tyler and the overall cost to the institution of the combined assemblage, the consideration received by U. T. Tyler is adequate.

The motion was seconded by Vice Chairman Longoria and carried unanimously.

- 5c. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding a ground lease with Harris Health System for the development of a clinical facility located on Harris Health's Lyndon B. Johnson Hospital campus, 5656 Kelley Street, Houston, Harris County, Texas; and finding of public purpose

Vice Chairman Longoria made the following motion:

I move that the U. T. System Board of Regents take the following actions:

- a. authorize U. T. M. D. Anderson Cancer Center to enter into an extended strategic collaboration agreement with Harris County Hospital District d/b/a Harris Health System (Harris Health) to furnish certain professional and technical cancer care services required by Harris Health patients and administer certain support services related thereto, on terms in accordance with the parameters outlined in Executive Session; and
- b. delegate authority to the institutional President or his designee to execute all documents, instruments, and other agreements and to take all further actions deemed necessary to carry out the purpose and intent of the foregoing actions, following review and approval by the Chancellor, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel.

I also move that the U. T. System Board of Regents, on behalf of U. T. M. D. Anderson Cancer Center:

- a. authorize the expenditure of institutional funds in exchange for the ground lease of no less than 5 acres and no more than 9 acres of developable land located on the LBJ Hospital campus from Harris Health for the construction of a comprehensive cancer care facility, such facility to be located on a portion of Harris Health's approximately 50.8 acres Lyndon B. Johnson Hospital campus at 5656 Kelley Street, Houston, Harris County, Texas, which will allow U. T. M. D. Anderson Cancer Center to provide comprehensive oncology services to Harris Health patients pursuant to the proposed extended strategic collaboration agreement with Harris Health System; and
- b. authorize the Executive Vice Chancellor for Business Affairs to execute all documents, instruments, and other agreements, subject to approval of all such documents by the Chancellor, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel, and to take all further actions deemed necessary to carry out the purpose and intent of the foregoing actions within the parameters outlined in Executive Session.

Lastly, I move that, in approving this item, the Board make a finding that the proposed extended strategic collaboration agreement with Harris Health and the expenditure of funds for the proposed ground lease and the development, construction, and equipping of the cancer care facility with Harris Health

1. support the public mission of and serve the public purposes appropriate to the functions of U. T. M. D. Anderson Cancer Center;
2. are both structured with adequate safeguards and controls in place to ensure U. T. M. D. Anderson's public purpose will continue to be met on an ongoing basis; and
3. will result in adequate consideration and benefits to U. T. M. D. Anderson Cancer Center.

The motion was seconded by Regent Perez and carried unanimously.

ADJOURNMENT.--There being no further business, the meeting was adjourned at 10:55 a.m.

/s/
Tina E. Montemayor
Secretary to the Board of Regents
November 18, 2021



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No items for Consent Agenda

MEETING OF THE BOARD

1. Minutes - U. T. System Board of Regents: Approval of Minutes of the regular meeting held August 18-19, 2021; and the special called meetings held July 30, 2021, and October 5, 2021

AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE

No items for Consent Agenda

FINANCE AND PLANNING COMMITTEE

2. Contract (funds going out) - U. T. System: Master License Agreement with Academic Analytics, LLC, to provide faculty research productivity software and related services

Agency:	Academic Analytics, LLC
Funds:	Not to exceed \$6,000,000 over the full contract period, including all renewal options
Period:	Initial term January 1, 2022 through December 31, 2026; with one additional two-year renewal period
Description:	Master License Agreement to provide faculty research productivity software and related services for quality assurance in doctoral program review and the Science and Technology Acquisition and Retention (STARs) application review. This Agreement was competitively bid.

3. Contract (funds going out) - U. T. System: Amendment to Agreement with KPMG, LLP, to provide claims preparation services and forensic accounting

Agency: KPMG, LLP

Funds: Total spend has the potential to exceed \$1,000,000 over the term of the Agreement depending on unspecified adverse events occurring to U. T. System institutions. Fees are paid by U. T. System Administration or the U. T. institution requesting services.

Period: September 15, 2021 through November 10, 2025

Description: KPMG, LLP provides claims preparation services and forensic accounting following significant losses, such as damage to property, income loss, crime and other potential types of loss. KPMG is currently providing claims preparation services for U. T. System's Winter Storm property insurance claim. Fees for this engagement are anticipated to exceed \$1,000,000. Fees for claims preparation services are recoverable under U. T. System's property insurance policies, subject to policy terms, conditions, and deductibles. The original contract was competitively bid and did not require Board approval as the contract amount did not exceed the delegated threshold. The First Amendment to the Agreement added rate per hour pricing.

This Second Amendment to the Agreement removes the fee cap of \$750,000 and allows for unspecified cost or monetary value for the Agreement, given the uncertainty around future services and the need to implement services quickly in response to a large loss.

The U. T. System Office of Risk Management will closely monitor spend over the life of the Agreement and will make all efforts to recover fees paid to contractor through U. T. System insurance policies whenever possible.

4. Contract (funds going out) - U. T. System: Amendment to Agreement with EdCERT LLC, dba Association of College and University Educators (ACUE), to provide credentialing for health faculty in evidence-based teaching practices necessary for student success

Agency: EdCERT LLC, dba Association of College and University Educators (ACUE)

Funds: \$90,000 over the two and a half-year Amendment term

Period: December 1, 2021 through May 31, 2023

Description: Amendment of existing contract with EdCERT LLC, dba Association of College and University Educators (ACUE). ACUE provides training and credentialing for faculty in evidence-based teaching practices necessary for student success.

The initial contract, executed in June 2018, was for a one-year pilot to credential a single cohort of faculty from across the eight U. T. academic institutions in Academic Year (AY) 2018 - 2019 at a total cost of \$40,000. Based on the success of the pilot and following approval by the Board of Regents on November 14, 2019, the contract was amended to credential faculty cohorts at all eight academic institutions in AY 2020 - 2021 at a total cost of \$320,000. Given the program's success and efficacy to scale improved teaching across the academic institutions to benefit student success, on May 6, 2021, the Board approved an additional two years of funding in the amount of \$640,000 to support the academic institutions in providing the ACUE course to more faculty.

This proposed Third Amendment will support two health institutions, U. T. Health Science Center - San Antonio and U. T. M. D. Anderson Cancer Center, in offering the ACUE course to their faculty.

5. Real Estate Report - U. T. System: Summary Report of Separately Invested Assets Managed by U. T. System

**THE UNIVERSITY OF TEXAS SYSTEM
SEPARATELY INVESTED ASSETS
Managed by U. T. System
Summary Report at August 31, 2021
FUND TYPE**

	Current Purpose Restricted		Endowment and Similar Funds		Annuity and Life Income Funds		TOTAL	
	Book	Market	Book	Market	Book	Market	Book	Market
Land and Buildings:								
Ending Value 05/31/2021	\$ 3,209,757	\$ 18,939,395	\$ 97,604,284	\$ 468,647,015	\$ 137,270	\$ 221,232	\$ 100,951,311	\$ 487,807,642
Increase or Decrease	-	(596,602)	143,179	110,516,368	(137,270)	(221,232)	5,909	109,698,534
Ending Value 08/31/2022	\$ 3,209,757	\$ 18,342,793	\$ 97,747,463	\$ 579,163,383	\$ -	\$ -	\$ 100,957,220	\$ 597,506,176
Other Real Estate:								
Ending Value 05/31/2021	\$ -	\$ -	\$ 5	\$ 5	\$ -	\$ -	\$ 5	\$ 5
Increase or Decrease	-	-	-	-	-	-	-	-
Ending Value 08/31/2021	\$ -	\$ -	\$ 5	\$ 5	\$ -	\$ -	\$ 5	\$ 5

Report prepared in accordance with Sec. 51.0032 of the *Texas Education Code*. Details of individual assets by account furnished on request.

Note: Surface estates are managed by the U. T. System Real Estate Office. Mineral estates are managed by U. T. System University Lands. The royalty interests received from the Estate of John A. Jackson for the John A. and Katherine G. Jackson Endowed Fund in Geosciences are managed by the U. T. Austin Geology Foundation, with the assistance of the Bureau of Economic Geology.

6. Other Fiscal Matters - U. T. System: Reallocation of a portion of previously allocated capital funding, from a Research Core Labs project, to use for the gross anatomy lab improvements at the U. T. Education and Research Center at Laredo

On November 14, 2013, the U. T. System Board of Regents allocated \$8,600,000 of Permanent University Fund (PUF) funding to support a new U. T. System Research Core Infrastructure, including the implementation of a pilot project on a core to advance the study of proteomics across U. T. System health institutions and the purchase of a U. T. Systemwide license for Research Core Management Software. On February 12, 2015, the Board allocated \$3,800,000 of the \$8,600,000 for a contract with iLab Solutions, LLC, to provide licensing and hosting of multi-institutional research core collaboration and management software. U. T. System subsequently determined that only a portion of the software license and implementation costs could be capitalized and now requests approval to reallocate \$600,000 of the previously allocated PUF funding to reimburse U. T. Health Science Center - San Antonio for recent capital improvements creating the gross anatomy laboratory at the U. T. Education and Research Center at Laredo.

7. Other Fiscal Matters - U. T. Rio Grande Valley: Approval of \$2,000,000 of Revenue Financing System (RFS) funding to address drainage improvements and landscaping at the Interdisciplinary Engineering and Academic Building on the Edinburg campus; and resolution regarding parity debt

The Interim Executive Vice Chancellor for Business Affairs recommends approval of this item authorizing \$2,000,000 of Revenue Financing System (RFS) funding for U. T. Rio Grande Valley to finance capital costs associated with drainage improvements and landscaping at the Interdisciplinary Engineering and Academic Building (EIEAB) on the Edinburg campus. The debt is expected to be repaid with institutional funds. The institution therefore requests that the Board resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that:

- parity debt shall be issued to fund all or a portion of the project, including any costs prior to the issuance of such parity debt;
- sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the RFS Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System;
- U. T. Rio Grande Valley, which is a “Member” as such term is used in the RFS Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of parity debt in an aggregate amount of \$2,000,000; and
- this resolution satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations* that evidences the Board’s intention to reimburse project expenditures with bond proceeds.

8. Other Fiscal Matters - U. T. Rio Grande Valley: Approval of \$7,020,000 of Revenue Financing System (RFS) funding for additional teaching and research labs at the Interdisciplinary Academic Building on the Brownsville campus; and resolution regarding parity debt

The Interim Executive Vice Chancellor for Business Affairs recommends approval of this item authorizing \$7,020,000 of Revenue Financing System (RFS) funding for U. T. Rio Grande Valley to finance capital costs associated with build-out of additional teaching and research labs at the Interdisciplinary Academic Building (BINAB) on the Brownsville campus. The debt is expected to be repaid with institutional funds. The institution therefore requests that the Board resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that:

- parity debt shall be issued to fund all or a portion of the project, including any costs prior to the issuance of such parity debt;
- sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the RFS Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System;
- U. T. Rio Grande Valley, which is a “Member” as such term is used in the RFS Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of parity debt in an aggregate amount of \$7,020,000; and
- this resolution satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations* that evidences the Board’s intention to reimburse project expenditures with bond proceeds.

ACADEMIC AFFAIRS COMMITTEE9. Request for Budget Change - U. T. Arlington: New Hires with Tenure -- amendment to the 2021-2022 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
College of Nursing and Health Innovation					
Graduate Nursing					
Professor and Endowed Chair Barbara St. Pierre Schneider (T)	1/1-8/31	100	09	160,000	11674
College of Science					
Psychology					
Professor Tracy Greer (T)	9/1-8/31	100	09	130,000	11673

10. Contract (funds coming in) - U. T. Austin: Amendment to Agreement with Bottling Group, LLC, to provide and maintain snack and sundry items for vending machines on campus

Agency: Bottling Group, LLC

Funds: \$1,190,000 over term of the amended Agreement

Period: January 1, 2022 through December 31, 2022; with six one-year renewals

Description: Bottling Group, LLC, will continue to provide and maintain snack and sundry items for vending machines on U. T. Austin campus. The initial Agreement was approved by the Board of Regents on November 9, 2019. The First Amendment was not presented to the Board for approval due to an administrative oversight. The Second and Third Amendments increased the pricing of the vending machine items and were approved by the Board on December 21, 2020, and May 5, 2021, respectively. This Fourth Amendment will increase the pricing of the vending machine items as well as reduce the annual payment for the year 2022.

The initial Agreement was competitively procured by a Request for Proposal. Pursuant to *Texas Education Code Section 51.945*, students were provided an opportunity to comment prior to determination that this food service provider should be selected. Board approval for this Agreement is sought in accordance with *Texas Government Code Section 2203.005(a)* and The University of Texas System Policy UTS 130 pertaining to Vending Machine Contracts.

11. Contract (funds coming in) - U. T. Austin: Amendment to Agreement with Coca-Cola Southwest Beverages, LLC, to provide beverages for vending machines on campus

Agency: Coca-Cola Southwest Beverages, LLC

Funds: \$2,000,000 over the term of the amended Agreement

Period: January 1, 2022 through December 31, 2024, with one three-year renewal option remaining

Description: Coca-Cola will continue to provide beverages for vending machines on campus, for which U. T. Austin will receive revenue. The initial Agreement was approved by the Board on November 9, 2017. The original term was September 1, 2017 through December 31, 2021; with two three-year renewal options. The First Amendment changed the prices on some of the items in the vending machines, but did not require Board approval. The Second Amendment provided an increase in product prices and was approved by the Board on August 20, 2020. The Third Amendment reduced rates to be paid by Coca-Cola due to the COVID-19 pandemic. This Fourth Amendment extends the term of the Agreement from January 1, 2022 through December 31, 2024, adjusts the pricing schedule on January 1, 2023, and reduces the annual payment through 2022 due to the pandemic.

The initial Agreement was competitively procured by a Request for Proposal. Pursuant to *Texas Education Code* Section 51.945, students were provided an opportunity to comment prior to determination that this food service provider should be selected. Board approval for this Agreement is sought in accordance with *Texas Government Code* Section 2203.005(a) and The University of Texas System Policy UTS 130 pertaining to Vending Machine Contracts.

12. Contract (funds coming in) - U. T. Austin: Compass Group USA, Inc., through its Canteen Division, to supply and maintain snack and sundry items in vending machines on campus

Agency: Compass Group USA, Inc. through its Canteen Division

Funds: \$2,000,000 over the term of the Agreement

Period: January 1, 2022 through December 31, 2025; with three two-year renewal options

Description: Compass Group USA, Inc., through its Canteen Division, will supply and maintain snack and sundry items in vending machines on the U. T. Austin campus for which U. T. Austin will receive an upfront annual signing bonus of \$25,000, and a monthly royalty payment of 33% of total gross sales. Anticipated annual revenue to University is \$200,000. This Agreement was competitively bid and was procured through a group purchasing organization.

Pursuant to *Texas Education Code Section 51.945*, students were provided an opportunity to comment prior to determination that this food service provider should be selected. Board approval for this Agreement is sought in accordance with *Texas Government Code Section 2203.005(a)* and The University of Texas System Policy UTS 130 pertaining to Vending Machine Contracts.

13. Contract (funds coming in and going out) - U. T. Austin: QuickStart Learning, Inc. (QuickStart) to provide instructor, curricula, and related educational services to the Texas Engineering Executive Education (TEEE)

Agency: QuickStart Learning, Inc. (QuickStart)

Funds: Total Funds Received: \$28,744,815
Funds going out: \$24,729,900
Funds retained: \$4,014,915

Period: November 30, 2021 through November 30, 2024; inclusive of two one-year renewal options

Description: U. T. Austin's Texas Engineering Executive Education (TEEE) is expanding its programmatic portfolio to reach a broader professional audience in the high-tech industry and to provide its technical workforce with the skills necessary to successfully compete in the job market. This Agreement is a revenue-sharing collaboration between TEEE and QuickStart. It will allow QuickStart to provide the instructors, curricula, and related services necessary for TEEE to offer non-credit, non-degree, continuing education courses that may include, but are not limited to Artificial Intelligence, Cloud Computing, and Cybersecurity.

14. Contract (funds going out) - U. T. Austin: Bain & Co., Inc. (Bain) Amendment to Agreement to provide Strategy Planning, Change Management, and Change Process

Agency: Bain & Co., Inc.

Funds: \$15,349,500 over term of the amended Agreement

Period: May 23, 2021 through May 22, 2023; with three one-year renewal options

Description: Bain is collaborating with U. T. Austin to create a 10-year strategic plan to prepare for a long-term future as a top public research university, competitive with elite private universities, and preferred by top faculty, students and staff. The strategic plan will contain elements intended to advance U. T. Austin's academic mission and positive impact on Austin, on Texas, and beyond, as well as modernize key university operations and functions. The plan will also focus on Diversity, Equity, and Inclusion; Procurement; Information Technology; and Staff and Faculty Talent Development.

To help fund U. T. Austin's cost of the strategic planning process U. T. Austin expects to reduce recurring costs by strengthening procurement and sourcing practices. By lowering the costs paid by the University to third party vendors, U. T. Austin expects a meaningful future return on the one-time consulting investment. The University intends to direct the resulting savings to more opportunities for students, faculty and staff, as well as towards needed process and systems improvements. This Second Amendment defines additional scope of work and increases the total value of the Agreement.

The initial Agreement was for a term beginning May 23, 2021 through September 10, 2021, and established the scope of work and divided the mission into two phases. The First Amendment, which was effective September 11, 2021, added an additional scope of work, extended the Agreement to October 12, 2021, and added compensation of \$4,720,000 to the underlying Agreement, which is within the institution's delegated authority threshold.

This Second Amendment is effective October 11, 2021, and terminates on May 23, 2023, with three one-year renewals and outlines the scope of work. The additional \$15,349,500 spend over the amended term brings the total contract cost to \$20,069,500.

The initial Agreement was procured through a best value determination after a competitive procurement.

15. Foreign Contract (funds coming in and going out) - U. T. Austin: Loughborough University, Enterprise Collaboration Agreement for an exhibit at U. T. Austin’s Harry Ransom Center

Agency: Loughborough University, a public university located in the United Kingdom

Funds: Fund Contribution by U. T. Austin of £32,850 (approximately \$45,661) and Fund Contribution by Loughborough University of £27,406 (approximately \$38,094)

Period: November 20, 2021 through July 31, 2022

Description: U. T. Austin’s Harry Ransom Center will collaborate with Loughborough University on an enterprise collaboration. This project entitled “Women and the Making of James Joyce’s Ulysses: Generating Cultural Impact through Public Engagement” will result in the curation for and creation of an exhibit at the Harry Ransom Center.

16. Request for Budget Change - U. T. Austin: Transfer \$7,000,000 from Vice President of Business Affairs (VPBA) Research Infusion, Allocation for Budget Adjustments to Project Controls and Management System (PCMS) – Norman Hackerman Building (NHB) – New MRI Unit to Building Equipment All Expenses to create an underground shaft outside the Norman Hackerman Building (RBC No. 11648) -- amendment to the 2020-2021 budget

17. Request for Budget Change - U. T. Austin: Tenure Appointments -- amendment to the 2021-2022 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
McCombs School of Business					
Marketing					
Professor					
Yuxing Du (T)	9/1-5/31	100	09	300,000	11660

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
Moody College of Communication					
Advertising and Public Relations					
Professor					
Natalie Tindall (T)	9/1-5/31	100	09	178,000	11656
Communication Studies					
Professor					
Nicholas Palomares (T)	9/1-5/31	100	09	150,000	11649
College of Education					
Curriculum and Instruction					
Professor					
Sylvia Celedon-Pattichis (T)	9/1-5/31	100	09	130,000	11653
Cockrell School of Engineering					
Biomedical Engineering					
Associate Professor					
Stephanie Seidlits (T)	1/16-5/31	100	09	135,000	11664
Electrical and Computer Engineering					
Professor					
Derek Chiou (T)	1/16-5/31	100	09	155,000	11662
Petroleum and Geosystems Engineering					
Associate Professor					
Silviu Livescu (T)	9/1-5/31	100	09	155,000	11659
College of Liberal Arts					
Economics					
Associate Professor					
Peter Bergman (T)	9/1-5/31	100	09	250,000	11650
Linguistics					
Professor					
Ashwini Deo (T)	1/16-5/31	100	09	125,000	11665

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
College of Natural Sciences					
Integrative Biology					
Professor					
Kelly Zamudio (T)	9/1-5/31	100	09	300,000	11655
Statistics and Data Sciences					
Professor					
Jay Bartroff (T)	1/16-5/31	100	09	195,000	11661
Associate Professor					
Layla Parast (T)	1/16-5/31	100	09	165,000	11663
School of Nursing					
Professor					
Tanya Coakley (T)	9/1-5/31	100	09	140,000	11651
LBJ School of Public Affairs					
Professor					
Mary Evans (T)	9/1-5/31	100	09	225,000	11658

18. Contract (funds coming in) - U. T. Dallas: Supreme Food Services, Inc., dba VendPro, to provide campus beverage services, including fountain and vending machines products and services

Agency: Supreme Food Service, Inc., dba VendPro

Funds: \$8,500,000 in revenue over a possible 10-year maximum term

Period: November 1, 2021 through October 31, 2025; with two optional renewal terms of three years each; 10 years with all renewals

Description: Supreme Food Service, Inc., dba VendPro, will provide beverage fountain and vending machines products and services for the UT Dallas campus. This recommended award is the result of a competitive solicitation.

Pursuant to *Texas Education Code* Section 51.945, students were provided an opportunity to comment prior to determination that this food service provider should be selected. Board approval for this Agreement is sought in accordance with *Texas Government Code* Section 2203.005(a) and The University of Texas System Policy UTS 130 pertaining to Vending Machine Contracts.

19. Contract (funds coming in) - U. T. El Paso: McLiff Coffee + Vending to provide vending services

Agency: McLiff Coffee + Vending, an LTD Partnership

Funds: \$287,500 for the initial term; \$402,500 approximate total with the option years

Period: September 1, 2021 through August 31, 2026; with two one-year renewal options

Description: McLiff Coffee + Vending will provide snack and beverage vending machine operations for the U. T. El Paso campus. This contract was competitively bid.

Pursuant to *Texas Education Code* Section 51.945, students were provided an opportunity to comment prior to determination that this food service provider should be selected. Board approval for this Agreement is sought in accordance with *Texas Government Code* Section 2203.005(a) and The University of Texas System Policy UTS 130 pertaining to Vending Machine Contracts.

20. Request for Budget Change - U. T. El Paso: New Hires with Tenure -- amendment to the 2021-2022 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
College of Engineering					
Civil Engineering					
Associate Professor					
Ivonne Santiago (T)	9/1-8/31	100	09	\$110,000	11667
College of Science					
Chemistry and Biochemistry					
Chair and Professor					
Carlos R. Cabrera Martinez (T)	9/1-8/31	100	09	\$185,000	11666

21. Contract (funds going out) - U. T. Permian Basin: Agreement with Sports Facilities Management, LLC, for management of sports complex fields

Agency: Sports Facilities Management, LLC, of Clearwater, Florida

Funds: Estimated at \$1,400,000

Period: August 1, 2021 through July 31, 2026

Description: Sports Facilities Management, LLC, to manage the operations of U. T. Permian Basin's sports complex fields. This Agreement was competitively bid.

22. Request for Budget Change - U. T. Rio Grande Valley: New Hire with Tenure -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
College of Liberal Arts					
Sociology					
Professor					
Marla del Pilar Perez-Lugo (T)	9/1-5/31	100	09	85,000	11647

23. Employment Agreement - U. T. Rio Grande Valley: Approval of terms of Employment Agreement for new Head Men's Basketball Coach Robert Matthew Figger

The following terms of the Employment Agreement for new Head Men's Basketball Coach Robert Matthew Figger have been approved by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel and are recommended for approval by the U. T. System Board of Regents. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the terms are approved, total compensation for the contract period will be in excess of \$1 million. The Agreement references the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas at Rio Grande Valley is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Rio Grande Valley. A violation of the provisions of such constitution, bylaws, rules, regulations, or policies may be grounds for suspension without pay and/or dismissal.

Proposed: **Guaranteed compensation:**

Annual Salary: \$320,000

Salary Pool (Assistant Coaches): \$325,000

Automobile: \$750 monthly allowance

Spouse travel: Reimbursed when engaged in official functions on behalf of University, subject to University policies and prior approval

Tickets: Up to eight reserve seats for home men's basketball games as well as team's away, pre-season, and post-season games, without charge

Nonguaranteed compensation:

Summer Men's Basketball Camps: Percentage of net proceeds for each camp, as determined by the Vice President and Athletics Director

Team performance incentives:

(a) \$2,500 if Team finishes in top three (including ties) of the conference regular season each of the first two years of the Agreement

(b) \$10,000 in any Agreement year in which the team wins the conference championship or co-championship. In addition, each full time Assistant Coach on the men's basketball staff will be paid \$2,500 and each off-court assistant will be paid \$1,500.

(c) \$15,000 for each game won in the NCAA Division I Men's Basketball tournament in any Agreement year. In addition, each full-time Assistant Coach on the men's basketball staff will be paid \$2,500 for each game won in any Agreement year, and each off-court assistant will be paid \$1,500 for each game won in any Agreement year.

(d) \$5,000 per game in any Agreement year in which the team participates in the National Invitation Tournament (NIT), or \$2,500 bonus in any Agreement year in which the team participates in the College Insider.com Postseason Tournament (CIT) or College Basketball Invitational Tournament (CBI). In addition, each full time Assistant Coach on the men's basketball staff will be paid \$1,000 per game and each off-court assistant will be paid \$500 per game in any Agreement year in which the team participates in the NIT, CIT, or CBI.

Team academic performance incentives:

(a) \$2,500 in the event the Men's Basketball Team's cumulative Grade Point Average (GPA) for the Academic Year is above 3.0 in an Agreement year, or \$5,000 if GPA is above 3.25 (not cumulative).

(b) \$2,500 in the event the Men's Basketball Team maintains a multi-year Academic Progress Report (APR) of at least 965 in an Agreement year, or \$4,000 if at least 985 (not cumulative).

Conference Coach of the Year: \$5,000 annually

Program Recognition: \$2,500 in each Agreement year that season tickets sold exceed 500, \$5,000 in each Agreement year that season tickets sold exceed 750, or \$7,500 in each Agreement year that season tickets sold exceed 1,000 (not cumulative).

Source of funds: Intercollegiate Athletics

Period: March 26, 2021 through April 30, 2026

24. Employment Agreement - U. T. Rio Grande Valley: Approval of amendment to terms of Employment Agreement for current Vice President and Director of Athletics Chasse Conque

The following terms of the amended Employment Agreement for Vice President and Director of Athletics Chasse Conque have been approved by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel and are recommended for approval by the U. T. System Board of Regents. If the terms are approved, total compensation for the contract period will be in excess of \$1 million. The amended Agreement references the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas at Rio Grande Valley is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Rio Grande Valley. A violation of the provisions of such constitution, bylaws, rules, regulations, or policies may be grounds for suspension without pay and/or dismissal.

From: **Guaranteed compensation:**

Annual Salary: \$240,000

Automobile: \$750 monthly allowance

Social club membership: McAllen Country Club

Cellular phone: \$85 monthly allowance

Spouse travel: Reimbursed when engaged in official functions on behalf of University, subject to University policies and prior approval.

Nonguaranteed compensation:

Incentive payment not to exceed \$50,000 per Agreement year, based on the President's holistic and overall evaluation of Vice President and Athletics Director's performance against mutually agreed, reasonably attainable goals for the Agreement year

Liquidated damages for early termination:

Through August 25, 2020, 100% of base salary for the remainder of the term

Through August 25, 2022, 50% of base salary for the remainder of the term

Through August 25, 2023, 25% of base salary for the remainder of the term

To: **Guaranteed compensation (Increase of 3%):**

Annual salary \$247,200

Automobile: \$750 monthly allowance

Social club membership: McAllen Country Club

Cellular phone: \$85 monthly allowance

Spouse travel: Reimbursed when engaged in official functions on behalf of University, subject to University policies and prior approval

Nonguaranteed compensation (No increase):

Incentive payment not to exceed \$50,000 per Agreement year, based on the President's holistic and overall evaluation of Vice President and Athletics Director's performance against mutually agreed, reasonably attainable goals for the Agreement year

Liquidated damages for early termination:

Through August 31, 2022 -- \$250,000

Through August 31, 2023 -- \$150,000

Through August 31, 2024 -- \$75,000

Through August 31, 2025 -- \$37,500

Source of funds: Intercollegiate Athletics

Period: September 21, 2021 through August 31, 2026

25. Request for Budget Change - U. T. San Antonio: New Hire with Tenure -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
College of Liberal and Fine Arts					
Anthropology					
Associate Professor					
Steve Kosiba (T)	1/15-8/31	100	09	90,000	11672

HEALTH AFFAIRS COMMITTEE

26. Contract (funds coming in) - U. T. Southwestern Medical Center: To provide physician and other health services to Dallas County Hospital District, dba Parkland Health and Hospital System

Agency: Dallas County Hospital District, dba Parkland Health and Hospital System

Funds: \$242,232,607

Period: October 1, 2021 through September 30, 2022

Description: U. T. Southwestern Medical Center to provide physician and other health services.

27. Contract (funds coming in) - U. T. Southwestern Medical Center: To provide cardiothoracic surgery and perfusion services to patients at the Veterans Affairs North Texas Healthcare System

Agency: Veterans Affairs North Texas Healthcare System

Funds: \$20,338,760 over the full contract term, including all renewal options

Period: July 1, 2021 through June 30, 2022; with the option to renew four additional one-year terms

Description: U. T. Southwestern Medical Center to provide cardiothoracic surgery and perfusion services to patients at the Veterans Affairs North Texas Healthcare System.

28. Contract (funds coming in) - U. T. Southwestern Medical Center: To provide ophthalmology physician services to patients at the Veterans Affairs North Texas Healthcare System

Agency: Veterans Affairs North Texas Healthcare System

Funds: \$6,849,924 over the full contract term, including all renewal options

Period: September 1, 2021 through August 31, 2022; with the option to renew four additional one-year terms

Description: U. T. Southwestern Medical Center to provide surgery and perfusion patient care services to patients at the Veterans Affairs North Texas Healthcare System.

29. Contract (funds going out) - U. T. Southwestern Medical Center: ABM Industry Group, LLC, will provide custodial housekeeping services to campus buildings and health facilities

Agency: ABM Industry Group, LLC

Funds: Not to exceed \$32,200,000 over the full contract term, including all renewal options

Period: September 1, 2021 through August 31, 2023; with the option to renew for three additional one-year terms

Description: ABM Industry Group, LLC, will provide custodial housekeeping services to campus buildings and health facilities. This contract was competitively bid.

30. Contract (funds going out) - U. T. Southwestern Medical Center: Amendment to Agreement with Lanier Parking Meter Services, LLC., dba Lanier Parking Solutions, to provide valet parking services to patients and visitors

Agency: Lanier Parking Meter Services, LLC., dba Lanier Parking Solutions

Funds: Not to exceed \$22,000,000 over the term of the amended Agreement

Period: July 23, 2021 through July 22, 2023

Description: Lanier Parking Meter Services, LLC., dba Lanier Parking Solutions, to provide valet parking services to patients and visitors. The initial Agreement for \$8,400,000 was effective from July 23, 2018 through July 22, 2021, with two renewal options and approved by the Board of Regents on November 15, 2018. The First Amendment was effective June 29, 2020, and extended the term to July 22, 2021, with a capped amount of \$8,400,000. This Amended and Restated Agreement is effective July 23, 2021 through July 22, 2023 and increased the cap amount to \$22,000,000.

31. Interagency Agreement (funds coming in) - U. T. Southwestern Medical Center: Interagency Agreement with the Texas Health and Human Services Commission for planning and development of new state psychiatric hospital

Agency: Texas Health and Human Services Commission

Funds: Not to exceed \$44,750,000

Period: Effective as of the date last signed by the Parties, through August 31, 2023

Description: Interagency Agreement is for U. T. Southwestern Medical Center to manage the planning, land acquisition, design, and potential construction phases for a new state psychiatric hospital in the Dallas-Fort Worth Metropolitan Area.

32. Interagency Agreement (funds going out) - U. T. Southwestern Medical Center: Interagency Agreement with the Texas Health and Human Services Commission for participation in the Network Access Improvement Program

Agency: Texas Health and Human Services Commission

Funds: \$7,873,866

Period: September 1, 2021 through August 31, 2022

Description: Interagency Agreement is for participation in Texas Health and Human Services Commission's Network Access Improvement Program, which includes federal matching funds. This program is focused on serving Managed Medicaid patients.

33. Lease - U. T. Southwestern Medical Center: Authorization to expand lease presently consisting of approximately 15,017 square feet by approximately 27,984 square feet and to extend the term of the lease for the expansion and existing space at Hillcrest Crossing, 8611 Hillcrest, Dallas, Dallas County, Texas, with CFO DT III, LLC, for clinical use

- Description: The institution currently leases approximately 15,017 square feet of space in Hillcrest Crossing and plans to lease an approximately 27,984 square feet of additional space in this building on the 2nd and 3rd floors and to extend the term of the existing space and additional space by up to approximately 128 months. The existing space is used for clinical purposes and the expansion space will also be used for clinical purposes.
- Lessor: CFO DT III, LLC, a Delaware limited liability company
- Term: The institution is considering two options to extend, one for 128 months and the other for 87 months. The term for the existing space will be extended to be coterminous with the chosen extended term.
- Lease Cost: The estimated lease cost for the extension of the existing space and the additional space is approximately \$26,887,585.03, including operating expenses and tenant improvements for the 128-month term and estimated \$20,084,035.27 for the 87-month term, including operating expenses and tenant improvements.
- Base rent will initially be \$27 to \$27.50 per foot depending on the institution's election of term and the base rent escalates at 2.5% annually after the first year. Lessor is also offering three to eight months abated rent depending on the institution's election of term. Lessor is offering a tenant improvement allowance of approximately \$1,129,610 to \$1,249,746 depending on the institution's election. In addition, parking will be charged for reserved spaces, presently estimated at 28, at a rate of \$150 per month per reserved space. Plans for the tenant improvement buildout have not been finalized, but the institution typically spends about \$200-250 per rentable square foot to complete space that it leases, which results in total estimated construction costs paid by the institution less the Lessor's tenant improvement allowance of approximately \$4,467,190 to \$5,886,390.
- Use: Clinical use for existing space and expansion space.
- Authorization: Authorize the Interim Executive Vice Chancellor of Business Affairs, or designee, or, if the 87-month extension is chosen, the authorized person at the institution, to execute the lease amendment, related documents, and take any other action necessary or appropriate to enter into and operate under the lease, as amended.

34. Contract (funds coming in) - U. T. Medical Branch - Galveston: To provide Correctional Managed Care Services to inmates in units operated by the Texas Department of Criminal Justice

Agency: Texas Department of Criminal Justice

Funds: \$1,117,008,971

Period: September 1, 2021 through August 31, 2023

Description: U. T. Medical Branch - Galveston (UTMB) provides health care services to inmates in prison units operated by the Texas Department of Criminal Justice (TDCJ), through its own capabilities or by further subcontracting. TDCJ received State appropriations for FY 2022 and FY 2023 for the purpose of funding TDCJ contracts with UTMB to provide correctional managed health care services. Pursuant to a longstanding arrangement with TDCJ, UTMB will continue to provide health care services to TDCJ inmates incarcerated in TDCJ prison facilities. The Board of Regents approved the previous biennium contract on November 14, 2019.

35. Contract (funds coming in) - U. T. Medical Branch - Galveston: To provide centralized pharmaceutical distribution services to Correctional Managed Care sites administered by Texas Tech University Health Sciences Center

Agency: Texas Tech University Health Sciences Center

Funds: Estimated at \$20,000,000 over the two-year term

Period: September 1, 2021 through August 31, 2023

Description: U. T. Medical Branch - Galveston (UTMB) to continue its longstanding practice of providing centralized pharmaceutical distribution services to the Correctional Managed Care sites administered by Texas Tech University Health Sciences Center (TTUHSC). The new contract extends the period from September 1, 2021 through August 31, 2023, and provides for TTUHSC to pay UTMB for pharmaceutical services as a pre-payment each month in the amount of \$500,000, to be adjusted based on actual volume of prescriptions filled during the year. The actual estimated amount is \$10,000,000 in Fiscal Year 2022 and \$10,000,000 in Fiscal Year 2023, bringing the total value of the contract for the two-year term to \$20,000,000. The Board of Regents approved the previous biennium contract on November 14, 2019.

36. Contract (funds coming in) - U. T. Medical Branch - Galveston: To provide health care services to inmates within the Texas Juvenile Justice Department

Agency: Texas Juvenile Justice Department

Funds: \$20,763,674

Period: September 1, 2021 through August 31, 2023

Description: U. T. Medical Branch - Galveston (UTMB) to provide health care services to youth under the care of the Texas Juvenile Justice Department (TJJJ), through its own capabilities or by further subcontracting. This Agreement extends a longstanding arrangement between UTMB and TJJJ through the current legislative biennium, from September 1, 2021 through August 31, 2023. TJJJ will pay UTMB through legislative appropriations of \$10,381,387 for Fiscal Year 2022 and \$10,381,387 for Fiscal Year 2023, bringing the total value of the contract to \$20,763,674.

The previous biennium Agreement for Fiscal Year 2019 through Fiscal Year 2020 was approved by the Board of Regents on November 14, 2019.

37. Request for Budget Change - U. T. Medical Branch - Galveston: New Hire with Tenure -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
School of Medicine					
Department of Surgery					
Professor					
Scott Lick (T)	12/1-8/31	100	12	553,000	11586

38. Lease - U. T. Medical Branch - Galveston: Authorization to renew the lease of approximately 17,663 square foot medical office space known as Pearland Regional Maternal and Child Health Program (RMCHP), and a Women Infants and Children (WIC) clinic, located at 2850 East Broadway, City of Pearland, Brazoria County, Texas, from SW Broadway, LLC, for clinical use

Description: Pearland RMCHP, WIC is an approximately 17,663 square foot leased space, located at 2850 East Broadway, City of Pearland, Brazoria County, Texas, currently used as a Regional Maternal Child Health Program and a Women, Infants and Children clinic.

Lessor: SW Broadway, LLC a Delaware limited liability company

Term: The lease renewal will be for 60 months commencing on February 1, 2022, and ending on January 31, 2027; with one five-year option to renew at a specified rate.

Lease Cost: Estimated rent and operating expenses for the lease renewal requested is \$2,570,903.73.

Total estimated lease expense over the prior and renewal lease term is approximately \$7,976,467.

Base Rent over the renewal period will be \$20.50 per square foot annually or \$30,174.00 monthly, with 2% annual increases thereafter. In addition, Lessee will pay the cost of operating expenses and \$500 per month for the HVAC replacement. For the option to renew, the Base Rent will be \$24.00 per square foot annually or \$35,326.00 monthly, with 2% annual increases thereafter.

On February 8, 2007, U. T. Medical Branch - Galveston received Board approval for expenditure of approximately \$2,606,160 related to the original lease, which was effective January 15, 2007 through January 31, 2017. Estimated costs paid through the end of the current lease term on January 31, 2022, total \$5,405,563.27. This lease renewal is being brought to the Board for approval as the total costs exceed the institution's delegated authority threshold.

39. Lease - U. T. Medical Branch - Galveston: Authorization to amend and extend a lease for approximately 14,432 square feet known as Conroe Regional Maternal Child Health Program (RMCHP), located at 701 East Davis, Conroe, Montgomery County, Texas, from WSL Corporation, for clinic uses

Description: Conroe RMCHP is an approximately 14,432 square foot leased space, located at 701 East Davis, Conroe, Montgomery County, Texas, currently used as a Regional Maternal Child Health Program.

Lessor: WSL Corporation, a Texas corporation

Term: The lease renewal will be for 60 months commencing on July 1, 2021, and ending on June 30, 2026, with one three-year option to renew at a market rate.

Lease Cost: Estimated rent and operating expenses for the lease renewal requested is approximately \$842,773.02.

Total estimated lease expense over the prior and renewal lease term is approximately \$5,951,764.34.

Base Rent and operating expenses over the renewal period will be approximately \$9.88 per square foot annually or approximately \$11,885.00 monthly for months 1-30, and approximately \$11.36 per square foot annually or approximately \$13,674.00 monthly for months 31-60 for the extended term. The option to renew will be at fair market value.

On August 12, 1993, U. T. Medical Branch - Galveston received Board approval for expenditure of approximately \$291,629 related to the original lease, which was effective September 1, 1993 through August 31, 1998. From September 1, 1993 through June 30, 2021, estimated costs paid total approximately \$5,108,991.32. This lease renewal is being brought to the Board for approval as the total costs exceed the institution's delegated authority threshold.

40. Purchase - U. T. Medical Branch - Galveston: Authorization to purchase land and building with parking known as Beaumont Regional Maternal and Child Health Program (RMCHP) and a Transplant clinic, located at 175-195 North 11th Street, Beaumont, Jefferson County, Texas, from SET Asset Properties, LLC, and Thomas J. Levine, for clinical use

Description: The property is currently leased by U. T. Medical Branch - Galveston. Beaumont RMCHP and Transplant clinic consists of an approximately 0.61 acres of land and a 13,255 square foot building located at 175 and 195 North 11th Street, Beaumont, Jefferson County, Texas, and is currently used and will continue to be used by U. T. Medical Branch - Galveston as a Regional Maternal Child Health Program and a Transplant clinic with approximately 0.28 acres of appurtenant parking. Authorization for the Executive Vice Chancellor of Business Affairs, to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary or advisable to purchase the property.

Seller: SET Asset Properties, LLC, a Texas limited liability company and Thomas J. Levine

Purchase Price: \$5,850,000

41. Approval of Dual Position of Honor, Trust, or Profit - U. T. Medical Branch - Galveston: Appointment by Governor Abbott of William Pate, DrPH, Program Director for Radiation and Occupational Safety, and Radiation Safety Officer, as Chair of the Texas Radiation Advisory Board

The following item has been approved by the Executive Vice Chancellor for Health Affairs in accordance with Regents' *Rules and Regulations*, Rule 30103.

It has been determined that the holding of this office or position is of benefit to the State of Texas and The University of Texas Medical Branch - at Galveston and that there is no conflict between holding this position and the appointment with the University.

The Board is also asked to find that holding this position is of benefit to the State of Texas and the University and that there is no conflict between the position and the University.

Name:	William Pate, DrPH
Title:	Program Director for Radiation and Occupational Safety, and Radiation Safety Officer
Position:	Chair of the Texas Radiation Advisory Board
Period:	September 22, 2021 for a term to expire at the pleasure of the Governor
Compensation:	None
Description:	Governor Greg Abbott has named William Pate, DrPH, as Chair of the Texas Radiation Advisory Board (Advisory Board). The Advisory Board advises the state on radiation issues and reviews the rules, policies and programs of state agencies that regulate radiation.

42. Request for Budget Change - U. T. Health Science Center - Houston: New Hires with Tenure -- amendment to the 2021-2022 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and are recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
Cizik School of Nursing					
Research Professor					
Chao Hsing Yeh (T)	11/1-8/31	100	09	230,000	11677
School of Dentistry					
Diagnostic and Biomedical Science					
Noriaki Ono					11676
From: Assistant Professor		100	12	135,000	
To: Associate Professor (T)	9/1-8/31	100	12	135,000	
School of Public Health					
Health Promotion and Behavioral Sciences					
J. Michael Wilkerson					11675
From: Assistant Professor		100	12	114,935	
To: Associate Professor (T)	9/1-8/31	100	12	114,935	

43. Request for Budget Change - U. T. Health Science Center - San Antonio: New Hire with Tenure -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
School of Nursing					
Office for Faculty Excellence					
Associate Professor					
Megan Pfitzinger (T)	7/7-8/31	100	12	115,000	11671

44. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Wunderman Thompson LLC to develop global marketing services

Agency: Wunderman Thompson LLC

Funds: The total cost of services under this Agreement, including all renewals, is estimated to be \$287,500,000.

Period: September 15, 2021 through September 14, 2024; with two one-year renewal options

Description: Wunderman Thompson LLC will provide and develop multiple programs and campaign types, including, brand, thought leadership, institutional and community sponsorships, patient acquisition, fundraising, physician focused, and event support advertising. The program and campaign types also include the negotiation and purchasing of media, including added-value media, exceptional creative deliverables across all channels, ongoing campaign development, measurement, and optimization across platforms. In addition, Wunderman Thompson LLC will develop comprehensive data analytics, testing capabilities and measurement strategies that provide insights to guide the optimization, enhancement and tracking across all programs.

The Agreement includes three Scopes of Work: Advertising - Global Marketing; Marketing Analytics Services; and Digital Experience.

The Agreement was competitively bid.

45. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Siegel & Gale LLC to develop branding and strategy services

Agency: Siegel & Gale LLC

Funds: The total cost of services under this agreement, including all renewals, is estimated to be \$12,000,000.

Period: September 15, 2021 through September 14, 2024; with two one-year renewal options

Description: Siegel & Gale LLC will provide branding and strategy services that will include assessing U. T. M. D. Anderson Cancer Center's current strategy, positioning, global messaging and key audience messaging, and graphic standards to ensure differentiation and best approach to a new institutional strategy. Possible deliverable could include updated positioning statement, message maps, and recommendations for updated graphic standards, based on U. T. M. D. Anderson Cancer Center's priorities and strategy. Services will also include brand universe audit and assessment of all U. T. M. D. Anderson Cancer Center's entities and affiliates, focusing on brand architecture and overall strategic framework. This architecture analysis would include all current and future brands, including current sub-brands (such as U. T. M. D. Anderson Children's Cancer Hospital), affiliated organizations and sister institutions, and audit of distributed retail merchandise.

The Agreement was competitively bid.

46. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: TEKsystems, Inc., to deliver information technology services

Agency: TEKsystems, Inc.

Funds: Total cost of services under this Agreement, including all renewals, is estimated to be \$63,250,000.

Period: September 20, 2021 through September 19, 2026; with three one-year renewal options

Description: TEKsystems, Inc., will offer resources consisting of trained and experienced personnel to provide project-based support, including implementation services, to U. T. M. D. Anderson Cancer Center's Information Services division in the following work areas: Electronic Health Record; Enterprise Development and Integration; Program Management; Business Analysis; Enterprise Business Systems; and Managed Services.

The Agreement was competitively bid.

47. Purchase - U. T. M. D. Anderson Cancer Center: Authorization to purchase approximately 4.4 acres of land and improvements including an approximately 79,844 square foot former surgical center located at 9922 Louetta Road, Houston, Harris County, Texas from MPT of Houston Vintage AD, LLC, for mission use

Description: Purchase of approximately 4.4 acres of land and improvements including an approximately 79,844 square foot former surgical center located at 9922 Louetta Road, Houston, Harris County, Texas, and authorization for the Executive Vice Chancellor for Business Affairs to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary or advisable to purchase the property. The property will be used by U. T. M. D. Anderson Cancer Center for mission purposes including the future operation of clinical facilities.

This facility was built in approximately 2016 and is currently vacant. The location provides the institution an excellent platform to address clinical and medical needs in the area.

The facility is configured as a surgery center, and only has sufficient parking on the property for that specific use. U. T. M. D. Anderson Cancer Center anticipates a broader set of clinical uses at the property. Accordingly, the institution may need to acquire additional parking capacity for the building. U. T. M. D. Anderson Cancer Center may: a) acquire a vacant parcel of land in the immediate vicinity, b) build a parking structure on the property and/or c) lease from area property owners additional parking to adequately address anticipated parking demand.

Seller: MPT of Houston Vintage AD, LLC, a Delaware limited liability company, or its successors or assigns

Purchase Price: Not to exceed fair market value as determined by an independent appraisal performed by Valbridge Property Advisors; appraisal confidential pursuant to *Texas Education Code* Section 51.951

Renovation Costs: Following the property acquisition, the institution anticipates executing a Major Project to renovate the building to align it with institutional requirements for providing patient care services. The institution has requested and received approval from the Chancellor and the Executive Vice Chancellor for Health Affairs under Regents' *Rules and Regulations*, Rule 80301, to implement the project Definition Phase. U. T. M. D. Anderson Cancer Center has initiated the process for procuring pre-design, schematic design, and pre-construction services needed to implement the Definition Phase. The institution will present the major capital project to the Board at a later date following the normal Capital Improvement Program (CIP) process including Definition Phase approval.

48. Other Matters - U. T. M. D. Anderson Cancer Center: Proposed revisions to Comprehensive Leave Program

U. T. M. D. Anderson Cancer Center seeks approval to amend its Comprehensive Leave Program by proposing amendments to one of the components of the comprehensive leave program, the Paid Time Off component (PTO), as described below, with the final policy details to be developed in cooperation with and subject to approval by the U. T. System Office of General Counsel and Office of Health Affairs. Authorization is also sought for the U. T. System Office of Business Affairs and Office of General Counsel, acting on behalf of the Board of Regents, to take all steps necessary to meet any requirements of *Texas Education Code* Section 51.961(h) for governing board action, including execution of documents with other state agencies.

Texas Education Code Section 51.961 authorizes the governing board of a university system to adopt a comprehensive leave policy on behalf of employees working within the system's medical or dental units. A leave policy adopted by the governing board may combine state authorized vacation, sick, and holiday leave into a paid leave system that does not distinguish or separate the types of leave to be awarded and may award leave in an amount determined by the governing board to be appropriate and cost effective.

On August 7, 2003, the U. T. System Board of Regents approved U. T. M. D. Anderson Cancer Center's proposal to create a comprehensive leave program comprised of three primary components:

- (1) a bank of PTO days;
- (2) an Extended Illness Bank (EIB) of days; and
- (3) a Reduced-Salary Paid Leave feature (RPL)

In accordance with this approval, U. T. M. D. Anderson Cancer Center implemented a comprehensive leave program in September 2004. On November 15, 2018, the Board of Regents approved U. T. M. D. Anderson Cancer Center's proposed amendments to the comprehensive leave program to:

- (1) provide limited grants of additional PTO to permanent employees in the interest of recruitment and retainment;
- (2) offer to buy back a designated portion of accrued PTO at a discounted rate, at M. D. Anderson's discretion determined annually and based on M. D. Anderson's financial status;
- (3) expand EIB and unpaid leave related to child birth and adoption for non-birth parents and surrogate births;
- (4) grant four hours of paid bereavement leave to allow employees to attend a funeral or memorial service of an individual who was an active M. D. Anderson employee at the time of death;
- (5) grant paid emergency leave upon a showing of good cause and with the good faith belief the employee will return at the end of leave;

- (6) place employee on paid administrative leave as necessary and desirable for safe and efficient operation, in furtherance of institutional interests, and/or for the health and safety of M. D. Anderson employees;
- (7) grant up to 15 days paid leave for Red Cross certified disaster volunteers and trainees for specialized disaster relief services upon the request of the Red Cross;
- (8) require employees to use accrued PTO that exceeds 80 hours prior to being granted RPL benefit;
- (9) allow direct access to EIB in certain circumstances without required prior use of PTO; and
- (10) grant a designated amount of vacation and sick leave to educational employees at the start of their appointment period.

The proposed changes to the Paid Time Off Program are:

- (1) adding a Child Care Leave (Family/Parental) provision; and
- (2) providing paid childcare leave for up to six weeks for birth, adoption, or placement.

The proposed changes to the Paid Time Off Program will allow U. T. M. D. Anderson Cancer Center to provide limited grants of additional leave to permanent employees.

The estimated cost of implementing the proposed changes to U. T. M. D. Anderson Cancer Center's Paid Time Off program is approximately \$22.3 Million. Funding will derive from a non-general revenue funding source. The proposed changes are intended, among other things, to ensure that U. T. M. D. Anderson Cancer Center remains competitive with national and local markets, to enhance U. T. M. D. Anderson Cancer Center's ability to retain and recruit highly qualified employees, to ensure U. T. M. D. Anderson Cancer Center remains an employer of choice, and to simplify the administration of leave and provide U. T. M. D. Anderson Cancer Center with greater flexibility in the application of leave.

FACILITIES PLANNING AND CONSTRUCTION COMMITTEE

No items for Consent Agenda