

Meeting No. 1,213

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

Pages 1 - 113

February 24 - 25, 2021

Austin, Texas

MEETING NO. 1,213

WEDNESDAY, FEBRUARY 24, 2021.-- The members of the Board of Regents of The University of Texas System convened in Standing Committee meetings on Wednesday, February 24, 2021, from 8:33 a.m. – 11:03 a.m. via Zoom conference. This regular meeting of the Board was held via video conference call as authorized by Governor Abbott's Executive Order temporarily suspending certain provisions of the Texas Open Meetings Act, effective March 16, 2020, to address and mitigate the effects of the COVID-19 pandemic.

ATTENDANCE.--

Present

Chairman Eltife
Vice Chairman Longoria
Vice Chairman Weaver
Regent Beck
Regent Crain
Regent Hicks
Regent Jiles
Regent Perez
Regent Warren
Regent Ojeaga, Student Regent, nonvoting

RECESS.--There being no further business, the meeting was recessed following the Standing Committee meetings at 11:03 a.m. to Convene the Board in Open Session on February 25, 2021.

THURSDAY, FEBRUARY 25, 2021.--The members of the Board of Regents of The University of Texas System convened in Open Session on Thursday, February 25, 2021, at 9:00 a.m. via Zoom conference, with the below meeting participation. This regular meeting of the Board was held via video conference call as authorized by Governor Abbott's Executive Order temporarily suspending certain provisions of the Texas Open Meetings Act, effective March 16, 2020, to address and mitigate the effects of the COVID-19 pandemic.

ATTENDANCE.--

Present

Chairman Eltife
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Regent Beck
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Regent Jiles
Regent Perez
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Regent Ojeaga, Student Regent, nonvoting

CONVENE THE BOARD IN OPEN SESSION.--At 9:00 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.

STANDING COMMITTEE RECOMMENDATIONS AND REPORTS.--At 9:01 a.m., Chairman Eltife announced the Board would hear the reports and recommendations of the Standing Committees, which are set forth on Pages 3 - 54.

REPORT OF THE AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE
(Pages 3 - 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 Hurricane Harvey, delegation of authority to Chief Compliance and Risk Officer, and resolution regarding parity debt related to Hurricane Harvey and Hurricane Hanna

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Chief Compliance and Risk Officer and 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 property insurance claims for Hurricane Harvey covered under the Comprehensive Property Protection Plan (CPPP) in the amount of \$99,212,284.66, under the Texas Wind Insurance Association (TWIA) in the amount of \$14,332,508.65, and under the National Flood Insurance Program (NFIP) in the amount of \$1,032,896.14;
- b. delegate authority to Chief Compliance and Risk Officer to execute all related Proofs of Loss and other settlement documents; and
- c. approve an aggregate amount of \$13,000,000 of Revenue Financing System (RFS) debt to finance capital costs related to property losses from Hurricane Harvey in 2017 (\$8.25 million) and Hurricane Hanna in 2020 (\$4.75 million).
 - Parity debt shall be issued to fund all or a portion of the projects, 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 Master Resolution to satisfy 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; and

- the U. T. System institutions, which are “Members” as such term is used in the RFS Master Resolution, possesses the financial capacity to satisfy their 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 \$13,000,000.

BACKGROUND INFORMATION

The Comprehensive Property Protection Plan (CPPP) provides coverage to U. T. institutions for named windstorms, fire, and all other perils through a combination of commercial insurance and interim financing. The CPPP commercial insurance coverage is subject to a large deductible that varies by type of loss and loss location. The deductible is funded with a combination of interim financing provided by the CPPP Fund and underlying National Flood Insurance Program (NFIP) and Texas Windstorm Insurance Association (TWIA) policies purchased by institutions.

In August 2017, Hurricane Harvey caused widespread wind and flooding damage at U. T. institutions. The U. T. Austin Marine Science Institute in Port Aransas suffered the largest physical damage loss. U. T. M. D. Anderson Cancer Center, U. T. Medical Branch - Galveston and U. T. Health Science Center - Houston all sustained some property damage from the storm, but the majority of their insured loss stems from business interruption during and following the storm.

The insurance claim for Hurricane Harvey has been adjusted and measured with the assistance of various third parties, and all impacted institutions have agreed to a total adjusted loss amount of \$99,212,284.66. The applicable deductible for the Hurricane Harvey claim is \$50 million, resulting in a CPPP commercial insurance settlement amount of \$49,212,284.66.

TWIA insurance coverage was in effect and applicable to several damaged buildings at U. T. Austin Marine Science Institute. The total adjusted claim loss amount with TWIA is \$14,332,508.65. The applicable deductible for TWIA is \$386,732 resulting in a TWIA insurance payment of \$13,945,776.65.

There were also multiple NFIP policies in place for locations that sustained flood damage. The cumulative insurance payment from the NFIP policies was \$1,032,896.14.

The CPPP Fund will provide interim financing for institutions to fund a portion of the capital costs related to these property losses that are within the CPPP Fund deductible. The Office of Risk Management and the Office of Finance recommend financing these costs with RFS debt.

Hurricane Hanna made landfall in South Texas on July 25, 2020, with up to 18 inches of rain reported in the Rio Grande Valley area. The storm impacted U. T. Rio Grande Valley at the Edinburg campus with flood and wind damages to multiple buildings.

The estimated total adjusted loss for Hurricane Hanna damages is currently \$10 million. The repairs and the insurance claim are still in process. Once the claim is finalized, a separate recommendation for settlement will be submitted to the Board of Regents for approval.

The applicable CPPP deductible for the Hurricane Hanna claim is \$5 million. The CPPP Fund will provide interim financing to U. T. Rio Grande Valley for capital costs resulting from storm damage, and the Office of Risk Management and the Office of Finance recommend financing a portion of these costs with RFS debt.

Financing a portion of the capital losses for both Hurricane Harvey and Hurricane Hanna will allow the CPPP Fund to retain a higher capitalization and spread the replenishment burden on the institutions over the next several years. In accordance with the CPPP guiding documents, institutions that sustained losses will repay 40% and the CPPP Wind and Flood Fund will pay 60% of the annual debt service. Debt incurred by the CPPP is expected to be retired over a ten-year period.

3. U. T. System: Discussion and appropriate action regarding request for additional funding of \$6,500,000 from Available University Funds (AUF) to continue the licensing of information security related products for Fiscal Year 2022 and Fiscal Year 2023

The Board approved the following recommendation:

The Chancellor concurs in the recommendation of the Chief Compliance and Risk Officer, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel that the U. T. System Board of Regents approve additional funding in the amount of \$6,500,000 from Available University Funds (AUF) for selected information security related products for Fiscal Year 2022 and Fiscal Year 2023.

In addition, the Board is asked to find that expenditure of AUF for this purpose is appropriate under the U. T. System's responsibilities to oversee and coordinate the activities and operations of the U. T. institutions, with the intent that the expenditure will benefit all academic and health institutions.

BACKGROUND INFORMATION

Information security is a significant high-risk area within the U. T. System. The information security related products covered under the A5 Microsoft license have provided state of the art capabilities to all U. T. institutions. Adoption of the products has been widespread throughout the U. T. System and promoted cross-institution collaboration.

4. U. T. System: Report on the results of the triennial Systemwide Quality Assessment Review of internal audit activities

This item was for consideration only by the Committee.

5. U. T. System: Report and discussion on the Systemwide internal audit activities, including trends and status of the FY 2021 institutional work plans

This item was for consideration only by the Committee.

6. U. T. System: Fiscal Year 2020 Consolidated Annual Financial Report, including the Independent Auditors' Report, and audits of the financial statements of U. T. Austin, U. T. M. D. Anderson Cancer Center, U. T. Southwestern Medical Center, and U. T. Medical Branch - Galveston and for funds managed by The University of Texas/Texas A&M Investment Management Company (UTIMCO)

This item was for consideration only by this Committee and the Finance and Planning Committee (Item 1) in a joint meeting.

REPORT OF THE FINANCE AND PLANNING COMMITTEE (Page 7).--

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: Fiscal Year 2020 Consolidated Annual Financial Report, including the Independent Auditors' Report, and audits of the financial statements of U. T. Austin, U. T. M. D. Anderson Cancer Center, U. T. Southwestern Medical Center, and U. T. Medical Branch - Galveston and for funds managed by The University of Texas/Texas A&M Investment Management Company (UTIMCO)

This item was for consideration only by this Committee and the Audit, Compliance, and Risk Management Committee (Item 6) in a joint meeting.

2. 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.

3. U. T. System: Financial Status Presentation and Monthly Financial Report

This item was for consideration only by the Committee.

4. U. T. System: Report on the Analysis of Financial Condition for Fiscal Year 2020

This item was for consideration only by the Committee.

5. U. T. System Board of Regents: The University of Texas/Texas A&M Investment Management Company (UTIMCO) Update

This item was for consideration only by the Committee.

REPORT OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 8 - 31).-- 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. San Antonio: Approval of preliminary authority for a Doctor of Philosophy in Computer 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 the U. T. System Board of Regents approve

- a. preliminary authority for U. T. San Antonio to create a Doctor of Philosophy in Computer Engineering degree program; and
- b. notification of the proposal to the Texas Higher Education Coordinating Board.

BACKGROUND INFORMATION

The Department of Electrical and Computer Engineering (ECE) at U. T. San Antonio proposes a new Doctor of Philosophy (Ph.D.) program in Computer Engineering. The educational objectives of this program are (a) to produce graduates who have advanced technical knowledge in computer engineering and (b) to develop graduates with research and educational skills that are essential to the growth of San Antonio, to the State of Texas, and beyond. The proposed program will prepare students to be leaders in computer engineering industries and academia through strong academic preparation and will equip students with skills to solve current computer engineering challenges through performance of interdisciplinary research.

The proposed degree will require 81 semester credit hours (SCH) beyond the bachelor's degree or 54 SCH beyond the master's degree. It also requires passing a qualifying examination, passing a dissertation proposal defense/examination, passing a final oral dissertation defense, and acceptance of the Ph.D. dissertation. A two-semester residency research period is also required. Students entering this program will choose from five different concentration areas: Visual Communications;

Computer Engineering; Digital Signal Processing (DSP); Electronic Materials and Devices, Systems and Controls; and Electric Power Engineering. Computer Engineering will be the largest program among these concentrations.

Once approved, the new Ph.D. degree program in Computer Engineering will be offered to students currently enrolled in the Ph.D. degree program in Electrical Engineering (EE) with Computer Engineering concentration. In Fall 2019, there were 104 doctoral students in the Ph.D. program in EE. More than one-third of those students were in the Computer Engineering concentration.

Once preliminary authority has been approved, U. T. San Antonio will submit the full degree program proposal for approval by the U. T. System Board of Regents and the Texas Higher Education Coordinating Board.

3a. U. T. Dallas: Approval to establish a Doctor of Business Administration 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 Business Administration degree program at U. T. Dallas; and
- b. submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

BACKGROUND INFORMATION

Program Description

U. T. Dallas proposes to develop a Doctorate in Business Administration (D.B.A.) degree program. The program is designed to provide in-depth, practice-based research and applicable knowledge required to analyze and create effective solutions by addressing complex problems that executives will face in managing and leading corporations in the current global, data, and technology-driven economy. The D.B.A.'s rigorous curriculum is designed to help students understand the application of business theory and the science of complex business problem solving through advanced research methodologies and business analytics.

The D.B.A. program, administered by the Naveen Jindal School of Management (JSOM), will be a cohort-based, non-state-funded program. The program will require 72 semester credit hours (SCH) to be completed in three years. Students enrolled in the program will take 36 hours in required and nine hours in elective coursework respectively and complete a combination of 27 research and dissertation hours. Students enrolled in the D.B.A. program will participate on a part-time basis, allowing them to maintain and continue their full-time careers as executives and senior managers.

Need and Student Demand

According to the U.S. Bureau of Labor Statistics (BLS), the overall job employment projected growth from 2018 to 2028 for top executives is 6%, adding approximately 150,600 jobs nationally from 2,639,500 to 2,790,100. The State of Texas is among the top five states with the highest employment level for the general and operations managers category, according to the BLS occupational employment statistics in 2019, second to California, and ranked above New York, Florida, and Illinois. The employment level is 217,080 with an annual mean wage of \$121,270. The Dallas-Fort Worth-Arlington area in Texas indicates an employment level of 65,040 with an annual mean wage of \$134,340.

Job searches were conducted using the Indeed.com job site for senior executives both in December 2019 and June 2020. The number of jobs differs due to the possibility of hiring freezes imposed by budget revenue shortfalls in light of the Novel Coronavirus Pandemic underway in 2020. Nevertheless, there are a number of jobs available for D.B.A. graduates. In December 2019, there were 89,326 jobs in the United States, 6,278 in Texas, and 2,234 in the Dallas Fort Worth area. In June 2020, the available number of jobs was 46,763,352, and 117 respectively.

Public institutions of higher education in Texas do not offer a D.B.A. There are only two Texas private institutions that offer the program. The University of Dallas in Irving and The University of the Incarnate Word in San Antonio offer D.B.A. programs and there are numerous renowned D.B.A. programs offered nationally, such as those at The University of Florida and Temple University.

Over the past several years, JSOM has received requests from senior executives that are interested in pursuing an advanced degree. JSOM has not kept statistics; however, the School has had to turn down requests because the traditional Ph.D. in business administration program is oriented to develop full-time faculty. The needs of business professionals seeking an advanced degree, but not planning a shift to a full-time academic career, are left unserved. Other institutions outside of Texas are attracting the student demand generated in the state for a doctorate in business administration.

After analyzing selected D.B.A. programs' enrollment profiles nationally, there is evidence that there are Texas residents who enroll as D.B.A. out-of-state students, particularly in Oklahoma. Therefore, there is a need to provide Texas residents, especially in the Dallas-Fort Worth area, with another D.B.A. program from a public institution to serve these targeted business executives and senior managers with an opportunity to earn additional educational credentials.

JSOM plans to admit 12 students annually during the fall semester with an expected attrition of two students per year, resulting in a projected number of 10 students in Year 1 and 20 students in Year 2. These projected numbers are conservative because JSOM runs a highly successful Ph.D. program in Management Science that admits approximately 25 students annually who typically graduate in four to six years. The average number of graduates from the JSOM Ph.D. in Management Science is 13.8 during the last five years for a total of 69 graduates.

Program Quality

Adding this proposed program will not have a significant impact on the other JSOM's graduate programs as enrollments in these programs have begun to level off and even decrease due to various environmental factors. Furthermore, the size of the proposed D.B.A. program does not require a significant commitment of additional faculty resources to successfully launch and maintain. There will be no expected faculty hires, due to JSOM's existing and renowned faculty. Selected JSOM faculty members, totaling 18 core faculty members and 13 support faculty members, will support the D.B.A. program.

These specific faculty members serve on the editorial boards of over 55 scholarly journals. Out of 18 core faculty members, 13 have chaired dissertation and/or master's committees. Two of the 18 core faculty members have secured external grants for the past five years for their research, totaling over \$250,000.

JSOM's recruitment strategies include, but are not limited to, communicating the program widely to communities and organizations with underrepresented populations; providing needed advising to such students on their academic work; and helping them on their career path. JSOM will seek applicants who have at least 10 years of work experience (if they have a bachelor's degree or seven years if they have a master's degree) and have a desire for advanced study, beyond what an M.B.A. offers. Applicants considered for the proposed D.B.A. program will have access to, and interest in, solving high-impact business problems.

The proposed D.B.A program will build on JSOM's existing graduate programs, specifically the Ph.D. in Management Science and the M.B.A. programs, with its current renowned faculty. In turn, the D.B.A. program will enhance JSOM's growing reputation as a highly ranked business school and strengthen its visibility in the business world/industry and academia, with a talent pool that can solve high-impact business problems. Further, the collaboration with high-level executives will assist the faculty in strengthening their relations with industry contacts in the business world, notably with firms in the Dallas-Fort Worth area. Moreover, this exposure will

also benefit JSOM’s current Ph.D. and M.B.A. students who will learn about these problems due to the collection of D.B.A candidates’ interesting and complex case studies that will be shared with JSOM’s graduate programs.

Revenue and Expenses

As mentioned earlier, if approved, the D.B.A. program will be a self-supporting, non-state funded, cohort program.

Expenses	5-Year Total
<i>Faculty</i>	
Salaries (reallocated)	\$1,796,822
Benefits (included above)	
<i>Graduate Students</i>	
TA Salaries	\$0
TA Benefits	\$0
GRA Salaries	\$0
GRA Benefits	\$0
<i>Staff & Administration</i>	
Graduate Coordinator Salary	
Administrative Staff Salaries	\$228,978
Staff Benefits (included above)	
<i>Other Expenses</i>	
Program Administration (reallocated)	\$173,554
Supplies and Materials	\$ 58,500
Library and Instructional Technology Resources	\$170,985
Total Expenses	\$2,428,839
Total NEW Expenses (Administrative Staff, Supplies, Library Materials Only)	\$ 458,463

Revenue	5-Year Total
<i>From Student Enrollment</i>	
Formula Funding	Self-supporting (N/A)
Tuition and Fees	\$3,660,000
<i>From Institutional Funds</i>	
Faculty Salaries/Benefits (reallocated)	\$1,796,822
Program Administration (reallocated)	\$173,554
Total Reallocated Expenses	\$5,630,376
<i>From Grant Funds</i>	
[Enter Description]	N/A
<i>From Other Revenue Sources</i>	
Tuition and Fees	N/A
Total Revenue	N/A

Coordinating Board Criteria

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

3b. U. T. San Antonio: Approval to establish a Doctor of Philosophy in School Psychology 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 Regent's *Rules and Regulations*, Rule 40307, related to academic program approval standards, be granted to

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

BACKGROUND INFORMATION

Program Description

U. T. San Antonio proposes to develop a Doctor of Philosophy (Ph.D.) program in School Psychology designed to prepare graduates for careers as scientist-practitioners and professional health service psychologists. The overarching goal of the program is to prepare future psychologists capable of contributing to the academic, emotional, and social-behavioral well-being of children and adolescents through direct and indirect services, as well as to the science that informs psychological practice. Upon graduation, graduates will be eligible to apply for doctoral-level licensure as a Licensed Psychologist, which allows them to provide psychological services in a range of settings beyond public school settings. They will also be eligible to conduct research and teach within academic institutions.

The doctoral program is designed for full-time students to complete the program in approximately five years, including dissertation and internship. There will be two course sequences, based on whether the student enters the program with either (a) a baccalaureate degree or (b) a master's degree or previous graduate coursework. The proposed program comprises 114 semester credit hours including 87 hours of coursework, 12 hours of practicum, 6 hours of doctoral internship, and 9 hours of dissertation credit. The numbers of hours allocated for coursework, fieldwork, and dissertation research are comparable to other doctoral programs in School Psychology accredited by the American Psychological Association (APA) and will facilitate the long-term goal of APA accreditation. Students admitted with an appropriate master's degree will require fewer hours to complete the program, which will be determined on a case-by-case basis via individual advising.

There is a high job market need for doctoral-level school psychologists in Texas and throughout the nation in both applied and academic settings. In a national survey conducted by the American Association for Employment in Education (AAEE), school psychology was identified by university/school district representatives as likely to experience considerable shortage or some shortage in all regions of the United States. Texas will encounter one of the most serious shortages of school psychologists in the near future due to many current practitioners in Texas nearing retirement age and the creation of new positions as school districts grow. Imminent retirements in school psychology are expected to occur in disproportionately greater numbers among males, doctoral-level psychologists, and university faculty. These retirements will contribute to continuing shortages in the field that have been documented over the past several decades.

Data from the U.S. Bureau of Labor Statistics indicate that clinical, counseling, and school psychologists are most likely to work in settings such as elementary and secondary schools, offices of health practitioners, outpatient care centers,

psychiatric and substance abuse hospitals, and general medical and surgical hospitals. Nationally, jobs in this category are projected to increase 14.7% between 2018 and 2028, with 14,600 annual job openings due to growth and replacement needs.

Similarly, an analysis conducted using Burning Glass Technologies labor market data analytics software found 15,908 relevant job postings in the U.S. in the last 12 months. The same analysis restricted to Texas found 1,867 job postings in the last 12 months. In 2017 there were 67 institutions in the U.S. that offered the Ph.D. degree in School Psychology, resulting in 353 degree conferrals that year, only 17 of which were awarded by Texas institutions. These numbers of graduates are not adequate to meet the demand for doctoral-level school psychologists in the U.S. or in Texas.

Need and Student Demand

According to APA's Graduate Study in Psychology, the average acceptance rate for doctoral programs in School Psychology in the U.S. is approximately 31% across the last three years. Further, across the last three years the mean number of applications to these programs nationally was 35, and the mean number of first-year enrollments was six students. Thus, many students who apply to doctoral programs in School Psychology are not admitted, suggesting that student demand is strong enough to support another program.

Doctoral programs in school psychology are offered at Stephen F. Austin State University, Texas A&M University, Texas Woman's University, University of Houston, and University of Houston-Clear Lake. Doctoral programs in the related field of educational psychology are offered at Texas A&M University, Texas A&M University-Commerce, Texas Tech University, The University of Texas at Austin, and The University of North Texas.

A brief survey was conducted in Fall 2019 to gauge interest in a proposed doctoral program in school psychology degree program. Participants included 72 undergraduate students enrolled in upper-division educational psychology courses and 38 graduate students currently enrolled in the Master of School Psychology degree program at U. T. San Antonio.

The survey data from both groups of respondents find the proposed doctoral program to be "of great value" and would be "an excellent extension of UTSA Graduate Studies." It is not surprising that graduate students currently enrolled in the M.A. in School Psychology program at UTSA reported more interest and likelihood in applying to the program as compared to the more heterogeneous sample of undergraduate students. Thus, current data may be considered favorable considering they were collected without a program in place and in the absence of student recruitment efforts.

Enrollment projections are based on the resources and faculty capacity in the department and on enrollment and attrition data for the other school psychology doctoral programs in Texas. Enrollment is anticipated to gradually increase as additional faculty is added to support the program, with the number of new students admitted increase from five initially to six per year by Year 5.

Program Quality

The department currently employs four core tenure-track faculty members with doctoral degrees and licensure in school psychology. Additional faculty resources required include: (1) two tenure-track faculty members with expertise in school psychology and advanced quantitative skills to support the research and statistics courses associated with doctoral-level training and to serve/consult on dissertation committees; and (2) two full-time, multi-year contract clinical faculty members (nontenure-track) to teach new practicum and internship courses associated with the doctoral program.

The department employs five support tenure-track faculty members with doctoral degrees in educational psychology or related fields. These faculty members have expertise in areas such as applied behavior analysis, program evaluation, research design, statistics, counseling psychology, human development, motivation, self-regulation, and education policy. These faculty members will play an important role in the doctoral program through teaching, mentoring students, and participating on dissertation committees.

The department has been recognized as one of the most prolific in terms of faculty research productivity among universities offering master's programs in school psychology, which was achieved without the advantage of having doctoral students to help with research. Faculty research on issues of diversity in assessment and intervention, educational policy, universal screening measures, and disparities in access to educational opportunities will continue to attract national attention, and productivity will only increase with the addition of highly skilled and motivated doctoral students contributing to publications and presentations.

From 2014-2020, core faculty published 50 articles in peer-reviewed journals, authored eight chapters in edited books, and authored three books. Support faculty published a total of 68 articles in peer reviewed journals, authored 18 book chapters, and authored six books. During this same time period, Educational Psychology faculty have been awarded external grant funding in the amount of \$6,510,848 and internal grant funding in the amount of \$37,455.

Revenue and Expenses

Expenses	5-Year Total
<i>Faculty</i>	
Salaries	\$2,002,182
Benefits	\$ 740,807
<i>Graduate Students</i>	
TA Salaries	\$ 374,856
TA Benefits	\$ 56,228
GRA Salaries	\$ 468,570
GRA Benefits	\$ 70,285
<i>Staff & Administration</i>	
Graduate Coordinator Salary	\$ 87,601
Administrative Staff Salaries	\$ 57,073
Staff Benefits	\$ 53,529
<i>Other Expenses</i>	
Materials and Supplies including Library	\$ 127,000
Total Expenses	\$4,038,131
Revenue	5-Year Total
<i>From Student Enrollment</i>	
Formula Funding	\$ 689,019
Tuition and Fees	\$ 193,851
<i>From Institutional Funds</i>	
NTT funding for TA Salaries + Grad School support	\$ 264,000
<i>From Grant Funds</i>	
Current federal and other Grant funding	\$6,948,226
<i>From Other Revenue Sources</i>	
N/A	
Total Revenue	\$8,095,096

Coordinating Board Criteria

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

3c. U. T. Tyler: Approval to establish a Doctor of Medicine degree program

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 institutional president that authorization, pursuant to the Regents' *Rules and Regulations*, Rule 40307, related to academic program approval standards, be granted to

- a. establish a Doctor of Medicine degree 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

The Health Science Center at U. T. Tyler proposes a new Doctor of Medicine degree program designed to educate students to become physicians who are skilled clinicians, biomedical scientists, professional leaders, and innovators in the ongoing transformation of the health care system regionally and throughout Texas, as well as nationally. The program will be the first doctoral program in medicine to be initiated in East Texas and will train students for the medical workforce of the future by creating an exceptional educational experience for learners; and by producing a diverse, broadly trained, and committed clinical workforce for East Texas and beyond. It will also leverage the size, scope, and strength of the university-owned teaching hospital system, U. T. Health East Texas, which is a 10-hospital, 50-plus clinic enterprise (U.T. Health East Texas).

In addition to developing a faculty dedicated to medicine, the Doctor of Medicine program will draw on existing teaching and research assets in the School of Medical Biological Sciences, the School of Community and Rural Health, the College of Pharmacy, and the College of Nursing and Health Sciences. A substantial number of students will be offered the opportunity to pursue formal courses of study or certificate programs in health-related fields. The program in medicine will also draw on the Master of Public Health and the Master of Health Administration offered through U. T. Health Science Center - Tyler to educate young physicians in interprofessional team settings that prepare them to function effectively in the health care system of the future, to provide acute and complex care safely and proficiently, and to maintain and improve the health of individuals in the community.

The program will employ a unique curriculum in both delivery and content including pathways and certificate opportunities. The development of curriculum elements and the sequencing of their delivery for the inaugural class are ongoing. Work groups have been examining core content areas, innovative curriculum integration opportunities, and delivery methods that utilize state-of-the-art technology to maximize the student learning experience. The curriculum features early clinical experiences, likely ending with Emergency Medical Technician (EMT) certification, and interprofessional education while affording students the opportunity for interdisciplinary training in fields such as community, occupational, and preventative medicine. Research and scholarly activity will be required of all students.

Need and Student Demand

The need for skilled personnel in the State of Texas and nationally to oversee and provide health care services remains very high and is expected to grow over the next several decades. Nationally, an aging population and technological advances in medicine are the principal drivers of this demand. In Texas generally, and in East Texas specifically, the increased need for skilled medical personnel is also a function of population growth across age groups, as well as rising rates of health conditions such as obesity and associated diseases such as diabetes, hypertension, heart disease, respiratory disease and cancer. Further, roughly 17% of Texans (18% in Smith County) are uninsured, and that rate continues to rise. Physicians in training and teaching hospitals serve a high proportion of the uninsured and underinsured populations.

The physician workforce in the State of Texas is characterized by a deep divide between rural, low population density areas, where physician access can be minimal to non-existent, and urban/suburban, high population density areas, where physician access can be comparatively more robust. However, even within more populous regions, there are areas where physician-to-population ratios are low and physician access can be problematic. In 2019, the number of active patient care physicians per 100,000 population was 242.1 nationwide, while the corresponding number in Texas was 199.9. Moreover, Texas ranked 47th among the 50 states in the number of active primary care physicians per 100,000 population.

The Texas Department of State Health Services (DSHS) issued a report in 2018 projecting the supply and demand for primary care physicians and psychiatrists in Texas at both the state and regional level from 2017 to 2030. A May 2020 report from DSHS looked at overall physician supply across Texas and highlighted critical physician shortages in East Texas including the specialties of family medicine (123 Full-Time Equivalents (FTEs), general internal medicine (92 FTEs), nephrology (109 FTEs), pediatrics (80 FTEs), and psychiatry (76 FTEs). While the shortage of family medicine physicians, general internal medicine specialists, pediatric specialists, and psychiatrists will improve or stay the same between 2018 and 2032, the projected supply of providers will still fail to meet projected demand.

Critical Shortages of Physician Specialties in East Texas, 2018-2032

Specialty	2018 Supply (FTEs)	2018 Demand (FTEs)	2018 Percent Demand Met	2032 Supply (FTEs)	2032 Demand (FTEs)	2032 Percent Demand Met
Family Medicine	422	571	73.9%	500	622	80.3%
General Internal Medicine	279	400	69.9%	361	453	79.7%
Nephrology	45	133	33.9%	53	163	32.9%
Pediatrics	127	207	61.5%	121	201	60.1%
Psychiatry	80	174	46.1%	92	168	54.8%

The State of Texas ranks 37th in students enrolled in Doctor of Medicine or Doctor of Osteopathic Medicine granting Schools per 100,000 population (with a total enrollment of 8,112 Academic Years 2018-2019). Creation of new positions in medical schools and adequate opportunities in Graduate Medical Education (GME) do not necessarily guarantee newly minted physicians will remain in Texas. But according to the Association of American Medical Colleges (AAMC) most current data reported in the “2019 State Physician Workforce Data Book,” Texas ranks second in retention of physicians who complete medical school within the state (59.7%) and 61.9% from Physicians Retained From Public Undergraduate Medical Education (UME), fourth in retention of physicians who complete GME in Texas (58.5%), and third in retention of physicians who complete medical school and GME in Texas (81%). Clearly, in a state that needs to grow its physician workforce and one that has significant loyalty of graduates, the solution of increasing the number of individuals who complete medical education and GME in the state seems to be a particularly important step.

Approximately 63,000 licensed physicians reside within the State of Texas. Of these, 46,953 are in active patient care and this is considered the net physician workforce in the state in this report. They serve a population of almost 26.5 million Texas residents. The physician workforce in Texas is disproportionately located in the five most populous counties in the state (Harris, Dallas, Tarrant, Bexar, Travis). A total of 26,620 physicians (57% of the total workforce) practice in these counties, though only 44% of the state’s population reside in these counties. Smaller counties of 40,000 people or fewer are home to 2,264,257 Texans (8.6% of the state’s population), but only 1,170 physicians (2.5% of the total workforce) practice in these counties. Further, there is a ratio of only 52 physicians per 100,000 population in counties of 40,000 people or fewer in Texas, compared to 228 per 100,000 for the five most populous counties and 183 per 100,000 for the entire state. Below is a summary of ratios for some of these East Texas counties.

Physicians per East Texas Counties

City Population	County	Number of Physicians
Tyler (98,564)	Smith	680
Longview (81,336)	Gregg (mainly)/ Harrison	271 / 45
Huntsville (38,548)	Walker	42
Texarkana (36,411)	Bowie	201
Lufkin (35,067)	Angelina	121
Nacogdoches (32,996)	Nacogdoches	101
Paris, Texas (25,151)	Lamar	80
Marshall (23,523)	Harrison	45

Furthermore, 13 counties in East Texas have five or fewer physicians. Many of the counties are designated Medically Underserved Areas/Populations (MUA/P) are areas or populations designated by the Health Resources and Services Administration (HRSA) as having too few primary care providers, high infant mortality, high poverty and/or high elderly population. Additionally, the majority are identified areas that lack providers.

Recruiting is a challenge to many locales and for many specialties. Recruiting physicians with ties to the state or to a region within the state is often helpful. Many locations highlight the advantages they offer and use physician preferences to attract the needed workforce. For example, communities that have good hunting and fishing may target individuals who like the outdoor life.

Communities with exceptional school systems may tout the extraordinary value for young families with children. Having communities get involved in recruitment can lead to other incentives like aid with education bills or providing income guarantees for early years of practice.

There are 141 full members of the AAMC with doctoral programs in medicine that have received final approval and full accreditation from the Liaison Committee on Medical Education (LCME) in the United States. Nine medical schools in Texas, eight of which are public institutions, are full members of the AAMC. There are limited growth opportunities at existing programs in the state and even with projected increases in enrollment rates, the State of Texas will still fall short in its ability to supply an adequate number of physicians to its population. As of 2019, the ratio of active physicians per 100,000 in Texas is 199.9 with the national average at 242.1, ranking Texas number 47 of 50 states. The most recent enrollment and graduation data for Texas medical schools is included in the table below.

Texas Medical Schools Enrollment and Graduation, 2015-2020										
	Matriculates					Degrees Conferred				
	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020	2015- 2016	2016- 2017	2017- 2018	2018- 2019	2019- 2020
Baylor College of Medicine	186	186	185	186	186	183	167	187	158	186
TX A&M College of Medicine	198	183	167	125	120	194	178	186	193	186
TX Tech HSC Foster School of Medicine (El Paso)	107	103	103	100	104	75	87	94	101	104
TX Tech HSC School of Medicine (Lubbock)	183	180	180	178	181	150	134	171	168	181
UNTHSC College of Osteopathic Medicine	230	232	229	230	230	194	218	186	226	230
UTMB School of Medicine	227	227	238	235	230	213	220	212	236	230
UT Austin Dell Medical School	0	50	50	51	50	0	0	0	0	50
UTHSCH McGovern Medical School	236	241	239	240	240	239	231	222	243	240
UTRGV School of Medicine	0	55	55	56	61	0	0	0	0	61
UTHSCSA Long School of Medicine	209	210	208	216	211	207	198	206	210	211
UTSWMC School of Medicine	238	238	236	238	233	235	227	238	212	233

Source: Texas Higher Education Coordinating Board and medical schools. Prepared by Texas Medical Association, Medical Education Dept., 09/2020

The proposed School of Medicine is uniquely positioned to reach the community with its resources and clinical partnerships. The doctoral program in medicine would not unnecessarily duplicate similar programs in Texas as none of the medical schools are based in East Texas. This presents a unique opportunity to achieve prominence by educating the next generation of expert clinicians, medical leaders, and scientists to meet the changing needs of the profession and the public. Doctoral programs in medicine and academic health centers that successfully bridge the large gap between an individualistic, cost-insensitive training model and the pressing demands of communities, states, and the nation and affordable, high-performance, team-based medical care and improved population health will attain distinction.

Admission into medical school programs in Texas continues to be a highly competitive process. In 2019, only 1611 of the 6,053 total medical school applicants (26.6%) matriculated into a Texas program. And although the number of students who are accepted and matriculate into Texas programs has remained even the last several years as additional student positions are created in existing programs, the number of applicants also grows each year. In 2020, 304 Texas residents who applied through Texas Medical Dental Schools Application Service (TMDSAS) and were made at least one offer declined to attend school in Texas.

It is reasonable to expect that student demand for admission into medical school programs in the State of Texas will continue to remain high and that the applicant pool will continue to remain strong in the future. The 2023 charter class of the School of Medicine will have 40 students and this new program would allow for additional placement opportunities for many qualified applicants.

Recruitment efforts for students will not begin until the accrediting body for medical schools, LCME, grants the School of Medicine preliminary accreditation status, per statutory regulations. The projection for preliminary accrediting status is the summer of 2022. At that point, the School of Medicine would opt to become a participating school with TMDSAS, the state's centralized application service currently utilized by all public medical schools in Texas. The summer 2022 timeframe coincides with the opening of the TMDSAS application for individuals applying to programs that begin Summer 2023 when the School of Medicine anticipates matriculating its charter class. Recruiting and admissions information will be available online and through program staff who will visit undergraduate institutions and host prospective students.

Program Quality

The new doctoral program in medicine will be evaluated through the faculty contributions, the accreditation process, the achievement of program objectives, monitoring the quality of experience, and implementing a plan for performance and program improvement.

School of Medicine core and support faculty have not yet been identified or hired at the time of proposal submission. The medical school core and support faculty members will reflect a range of clinical, scientific, and interdisciplinary backgrounds. Faculty members with core scientific and academic interests will be recruited from other institutions around the country or by creating joint appointments for current U. T. Tyler faculty. The institution has a track record of successful faculty recruitment in other disciplines and expects similar success for its doctoral program in medicine. Faculty members with primarily clinical responsibilities will be recruited by the institution as its curriculum develops. A large pool of talented individuals already exists in Tyler from academic programs (e.g., the Health Science Center at U. T. Tyler's GME clinical faculty), a university-owned teaching hospital system (e.g., U. T. Health East Texas), a non-academic teaching hospital (e.g., Christus Trinity Mother Frances), and private practices. The institution anticipates that

additional clinical faculty members will be drawn from a pool of individuals outside Tyler and outside Texas who are attracted by the clinical opportunities and the overall quality of life in East Texas.

The School of Medicine will expect a level of research and scholarship from its faculty that is consistent with the expectations set forward by the U. T. System, and it is expected that it will be comparable to those at other medical schools within the U. T. System. The institution anticipates the ability to draw the interest of faculty who are currently maintaining high levels of professional productivity and who have an interest in cultivating the rich scientific and clinical resources to build the infrastructure of the new medical school.

The plan for anticipated faculty availability in the first five years of the program is below.

Proposed Five-Year Faculty Hiring Plan					
(Full-Time Equivalents)					
	Year 1	Year 2	Year 3	Year 4	Year 5
	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>
Dean	1	1	1	1	1
Basic Science Educators	0.5	6	8	10	10
Basic Science Research Faculty	TBD	TBD	TBD	TBD	TBD
Clinical Science Educators	0.5	4	5	10	15
Clinical Research Faculty	TBD	TBD	TBD	TBD	TBD
Clinical Faculty*	150	175	200	250	300
Total	155	186	214	271	326

* Clinical faculty already employed and active in the GME programs

The accreditation body for medical schools is the LCME, a 70-year-old organization formed to oversee medical education in the United States through a partnership of the American Medical Association (AMA) and AAMC. The LCME has developed an extensive set of standards and procedures to ensure educational program quality. These are rigorously enforced through a process that involves continuous data collection and self-study by administration, faculty, and students that leads to periodic site visits by a team who evaluates adherence to the standards and documents a recommendation to the full LCME Council. The Council then determines, by vote, whether to grant accreditation. New programs seeking LCME accreditation undergo a stepwise review and accreditation process.

Achievement of program objectives by students at the School of Medicine will be monitored in several ways. Students' fund of knowledge will be assessed during the preclinical years via internal written examinations, supplemented in some courses by laboratory examinations and faculty evaluations of small group performance, and by administering the National Board of Medical Examiners (NBME) Comprehensive Basic Science Examination every six months during the first two years. Additionally, the School of Medicine will utilize Objective Structured Clinical Exams (OSCEs) in Phase 1 Scientific Foundations and Phase 2 Clinical Experiences. Standardized end-of-rotation comprehensive NBME subject shelf

examinations will also be administered during the clinical years to assess students' fund of knowledge, supplemented by internal written and oral examinations, and faculty and resident evaluations. Mastery of curriculum content will also be addressed by the requirement that all graduates of the School of Medicine pass steps 1 and 2 of the United States Medical Licensing Exam.

Students' opinions about the quality of their educational experiences in the preclinical years, including their assessment of the clarity of learning objectives, the relationship between published learning objectives and course/examination content, and the value of their preclinical courses in preparing them for their clinical rotations are obtained via the AAMC Medical Student Graduation Questionnaire given to each graduate. The quality of their clinical experiences is also addressed in the same survey via an extensive list of very detailed, specific questions.

Student performances on internal and standardized shelf examinations are monitored on an ongoing basis by course directors and the various subcommittees of a curriculum oversight committee. Student feedback following tests and from course evaluations is carefully reviewed by course directors and, where indicated, modifications will be made to the examination and/or course structure and content.

Revenue and Expenses

Expenses	5-Year Total (2021-25)
<i>Faculty</i>	
Salaries and Benefits	\$20,400,000
<i>Graduate Students</i>	
N/A	\$0
<i>Staff & Administration</i>	
Program Administration Salaries and Benefits	\$22,400,000
Clerical/Staff Salaries and Benefits	\$ 5,200,000
<i>Other Expenses</i>	
Supplies and Materials	\$ 750,000
Library & IT resources	\$ 1,850,000
Equipment	\$ 330,000
Facilities	\$ 610,000
Recruitment and Turnover	\$ 420,000
Total Expenses	\$51,960,000
Projected Enrollment	5-Year Total (2021-25)
Number of Students Used for Formula Funding Calculation	39
Total Number of Students	117

Revenue	5-Year Total (2021-25)
<i>From Student Enrollment</i>	
Formula Funding	\$0M
Tuition and Fees	\$ 5,700,000
<i>From Institutional Funds</i>	
STARS	\$0M
<i>From Other Revenue Sources</i>	
ETMC Foundation, Other Gifts, Instructional Grants	\$38,500,000
Total Revenue	\$44,200,000

Notes:

1. The time period included in the SOM budget above is 2021-2025.
2. These are estimated financials for the SOM based on initial discussion around the start-up of the medical school. While the Health Science Center has a number of components of the overall SOM administration and GME operations, the draft SOM budget reflects the development of a new UME program at the SOM, and revenues and expenditures directly associated with it.
3. The draft SOM budget does not include GME program revenues and expenditures. It is anticipated that GME program revenues and expenditures, which are currently a part of the Health Science Center's operations, will be included in future iterations of the SOM budget.
4. The draft budget does not include Research administration or infrastructure. Basic sciences chair salaries, basic sciences research faculty, basic sciences grant dollars and F&A dollars have not been included in this iteration of the SOM budget. It is anticipated that the basic sciences research P&Ls which are currently part of the U. T. Health Science Center - Tyler operations will be included in future iterations of the SOM budget.
5. Personnel headcounts, FTEs and salaries are estimated for the SOM. The incremental SOM budget includes net new personnel, and effort allocation for existing personnel to the SOM in new roles (e.g., Clerkship directors will be appointed from existing clinical faculty with an effort carve out to the SOM to fulfill the role for the UME program).
6. Facilities expenses are based on current working assumptions and placeholder financials. These are expected to be higher in future iterations of the SOM budget.
7. Tuition and Fees estimates do not include projected financial aid offsets.
8. Other Expenses do not include marketing, legal, consulting, travel, and accreditation-related expenses, which are still being finalized.

Costs vs. Funding Sources. For the 5-year period reported, the total costs exceed total funding sources by approximately \$7.8M.

Coordinating Board Criteria

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

4a. U. T. El Paso: Discussion and appropriate action regarding proposed changes to admission criteria for the Master of Rehabilitation Counseling 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 the U. T. System Board of Regents approve changes to the criteria for admission to the Master of Rehabilitation Counseling degree program at U. T. El Paso as described below.

BACKGROUND INFORMATION

U. T. El Paso requests approval to remove the Graduate Record Examination (GRE) requirement for admission to the Master of Rehabilitation Counseling (MRC) degree program. U. T. El Paso has conducted an in-depth study of the use of GRE scores in admission decisions and has found that the GRE is not predictive of student success in the Master of Rehabilitation Counseling program.

Current Unconditional Admission Criteria	Proposed Unconditional Admission Criteria
<ul style="list-style-type: none"> • GPA of 3.0 or higher. 	<ul style="list-style-type: none"> • No change
<ul style="list-style-type: none"> • Three letters of recommendation. 	<ul style="list-style-type: none"> • No change
<ul style="list-style-type: none"> • Statement of professional goals. 	<ul style="list-style-type: none"> • No change
<ul style="list-style-type: none"> • GRE score (no minimum score required). 	<ul style="list-style-type: none"> • GRE score (no minimum score required) <u>is not required.</u>
Current Conditional (Probationary) Admission Criteria	Proposed Conditional (Probationary) Admission Criteria
<ul style="list-style-type: none"> • Applicants who do not achieve the GPA of 3.0 for their undergraduate degree need to maintain a GPA of 3.0 during their first year in the program. 	<ul style="list-style-type: none"> • No change

<ul style="list-style-type: none"> • Applicants who do not take GRE before the application deadline can submit their GRE score after they are conditionally admitted to the program. 	<ul style="list-style-type: none"> • Applicants who do not take GRE before the application deadline can submit their GRE score after they are conditionally admitted to the program.
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4b. U. T. El Paso: Discussion and appropriate action regarding proposed changes to admission criteria for the Doctor of Philosophy in Chemistry 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 the U. T. System Board of Regents approve changes to the criteria for admission to the Doctor of Philosophy in Chemistry degree program at U. T. El Paso as described below.

BACKGROUND INFORMATION

U. T. El Paso requests approval to remove the Graduate Record Examination (GRE) requirement for admission to the Doctor of Philosophy in Chemistry degree program. Based on an in-depth review of student success metrics (such as retention, Grade Point Average, and 10-year graduation rate), U. T. El Paso has determined that GRE scores are not predictive of student success in the doctoral program in chemistry.

Current Unconditional Admission Criteria	Proposed Unconditional Admission Criteria
<ul style="list-style-type: none"> • Official transcripts of all previous academic work. 	<ul style="list-style-type: none"> • No change
<ul style="list-style-type: none"> • Three letters of recommendation from individuals who are qualified to assess the applicant’s potential for doctoral work. 	<ul style="list-style-type: none"> • No change
<ul style="list-style-type: none"> • A personal statement setting out the applicant’s reasons for wishing to pursue a Ph.D. in Chemistry at UTEP and future career plans. 	<ul style="list-style-type: none"> • No change

<ul style="list-style-type: none"> • Curriculum Vitae 	<ul style="list-style-type: none"> • No change
<ul style="list-style-type: none"> • Official TOEFL scores of 550 or higher for international applicants whose first language is not English or who have not completed a university. 	<ul style="list-style-type: none"> • No change
<ul style="list-style-type: none"> • Official scores on the Graduate Record Examination (GRE) 	<ul style="list-style-type: none"> • Official scores on the Graduate Record Examination (GRE)

4c. U. T. Tyler: Discussion and appropriate action regarding proposed changes to admission criteria for the Master of Public Administration 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 the U. T. System Board of Regents approve changes to the criteria for admission to the Master of Public Administration degree program at U. T. Tyler as described below.

BACKGROUND INFORMATION

U. T. Tyler requests approval to make changes to the criteria for consideration of admission to the Master of Public Administration (MPA) degree program.

The graduate faculty have noted that the Graduate Records Exam (GRE) score of an applicant is only one predictor of a student's academic success for graduate school and believe an acceptable score on the GRE should not be a barrier to student enrollment if the student has demonstrated previous academic success as an undergraduate student (from a regionally accredited institution of higher learning) or has earned a graduate degree (from a regionally accredited institution of higher learning).

Current Admission Criteria	Proposed Admission Criteria
1. A baccalaureate degree from an accredited college or university.	1. No Change

<p>2. A minimum grade point average of 3.0 on a 4 point scale on the last 60 hours of undergraduate and/or graduate coursework. Candidates with advanced degrees will be given preference.</p>	<p>2. No Change</p>
<p>3. For applicants to the Generalist track:</p> <ul style="list-style-type: none"> a. Three years of full-time employment in a public or non-profit organization is required. A curriculum vitae should be submitted to document employment in a public or non-profit organization. A satisfactory score on the Verbal and Quantitative sections of the Graduate Record Examination (GRE) may be substituted for the employment requirement in the Generalist track. b. A letter expressing interest and motivation for pursuing the degree should be submitted; and an interview may be required. c. A course in research methods is recommended before admission to that track. 	<p>3. For applicants to the Generalist track:</p> <ul style="list-style-type: none"> a. Three years of full-time employment in a public or non-profit organization is required. A curriculum vitae should be submitted to document employment in a public or non-profit organization. A satisfactory score on the Verbal and Quantitative sections of the Graduate Record Examination (GRE) may be substituted for the employment requirement in the Generalist track. The GRE requirement can be waived if the applicant earned a 3.25 overall undergraduate GPA or has previously earned a graduate degree from an accredited university. b. A letter expressing interest and motivation for pursuing the degree should be submitted; and an interview may be required. c. A course in research methods is recommended before admission to that track.

<p>4. In addition to the requirements 1 and 2, applicants to the Health Care Administration track must have at least three years of full-time employment in a health care profession. They must also submit:</p> <ul style="list-style-type: none">a. An Applicant Information Sheetb. A 300 word written essayc. A resumed. Three letters of recommendation; preferably one from a supervisor <p>An on-campus interview with the Director of the Health Care Administration track of other designated faculty member is also required.</p>	<p>4. No Change</p>
<p>5. Consideration is also given to one or more of the following: the applicant's demonstrated commitment to his or her chosen field of study, socioeconomic background, first generation college graduate, multilingual proficiency, geographic region of residence, and level of responsibility in other matters including extracurricular activities, employment, community service, and family responsibilities.</p>	<p>5. No Change</p>

REPORT OF THE HEALTH AFFAIRS COMMITTEE (Pages 32 - 48).-- 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. System: Public health at U. T. health institutions

This item was for consideration only by the Committee.

3. U. T. Southwestern Medical Center: Approval to create the School of Public Health

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Vice Chancellor and General Counsel, and institution President that approval be granted to create the School of Public Health at U. T. Southwestern Medical Center.

A PowerPoint presentation is set forth on the following pages.

BACKGROUND INFORMATION

U. T. Southwestern Medical Center's School of Public Health will build upon its strength of research and programs in Data Science, Health Systems Research, Epidemiology, and Implementation Science; capitalize on general academic institution partnerships; leverage extensive hospitals, health system, and patient care; advance Bioinformatics, Computational Biology, and Population and Data Sciences programs; disseminate Infectious Disease expertise; and inform Public Policy. Planning will occur in two phases. Phase 1 in years 1-3 will organize and recruit needed faculty and prepare to admit students in Fall 2023. Phase 2 will expand and establish new research and pursue multifaceted school accreditation. Specific degrees will be determined and proposed during Phase 1, with approval by the Executive Vice Chancellor for Health Affairs as required by Regents' *Rules and Regulations*, Rule 40307. With Dallas and the 13 contiguous counties being the fastest growing Metropolitan Statistical Areas in the U.S., workforce skilled in public health management is insufficient. The new School of Public Health at U. T. Southwestern Medical Center will meet the growing needs of the community.

The creation of the new School has been approved by the Executive Vice Chancellor for Health Affairs pending approval by the Board. Upon approval by the Board of Regents, the Office of Health Affairs will notify the Texas Higher Education Coordinating Board of the change so that the U. T. Southwestern Medical Center administrative unit structure can be updated.

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...".

The University of Texas Southwestern Medical Center School of Public Health

Daniel K. Podolsky, M.D., President

W. P. Andrew Lee, M.D., Executive Vice President for Academic Affairs and Provost;
Dean, Southwestern Medical School

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

Minutes - 34

February 25, 2021 Meeting of the U. T. System Board of Regents – Health Affairs Committee



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Public health threats – COVID-19 only the most recent

- **Emerging infectious diseases**
 - West Nile (2002), H1N1 influenza (2009), Chikungunya (2013), Ebola (2014), Zika (2015), COVID-19 (2020)
- **Chronic conditions**
 - Texas has among the highest rates in the country of obesity, diabetes, substance abuse, Alzheimer’s, HIV, congenital infections, mental health, and other challenges
- **Environmental and occupational health**
 - Healthy environment is central to quality of life and years of healthy life
- **Social determinants of health**
 - Economic stability, education and health care access and quality, neighborhood and built environment, social, and community context

Minutes - 35



Efforts necessary to address public health needs

- **Advances in public health science still needed**
 - Research advancing public health, e.g., implementation science
- **Education and training of public health professionals**
 - Insufficient public health workforce for preventive interventions, epidemiologic crisis response, surveillance, real-time analyses of trends data, contact tracing, and educational outreach



Efforts necessary to address public health needs (cont.)

Minutes - 37

Public Health Graduates in 5 Most Populous States*		
<u>State</u>	<u>Master of Public Health (M.P.H.) Degrees</u>	<u>Graduates per capita</u>
CA	1,753	1 M.P.H./22,533 people
NY	1,208	1 M.P.H./16,142 people
PA	607	1 M.P.H./21,087 people
FL	720	1 M.P.H./30,000 people
TX	396	1 M.P.H./73,485 people

*<https://nces.ed.gov/ipeds/use-the-data>, 2018



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UTSWMC will expand on core expertise to meet public health school need and advance population health

- **UTSWMC will create a research-intensive school dedicated to scientific advances that address population health challenges and provide evidence-based input for policymakers navigating chronic and emerging public health crises.**
- **School will build on core strengths in:**
 - Schools of Medicine and Graduate Biomedical Sciences
 - Basic and Clinical Research – including Department of Population and Data Sciences that will nucleate the new school and programs
 - Partnerships with area general academic institutions, including U. T. Dallas
 - Extensive UTSWMC hospitals/health system experience in population health



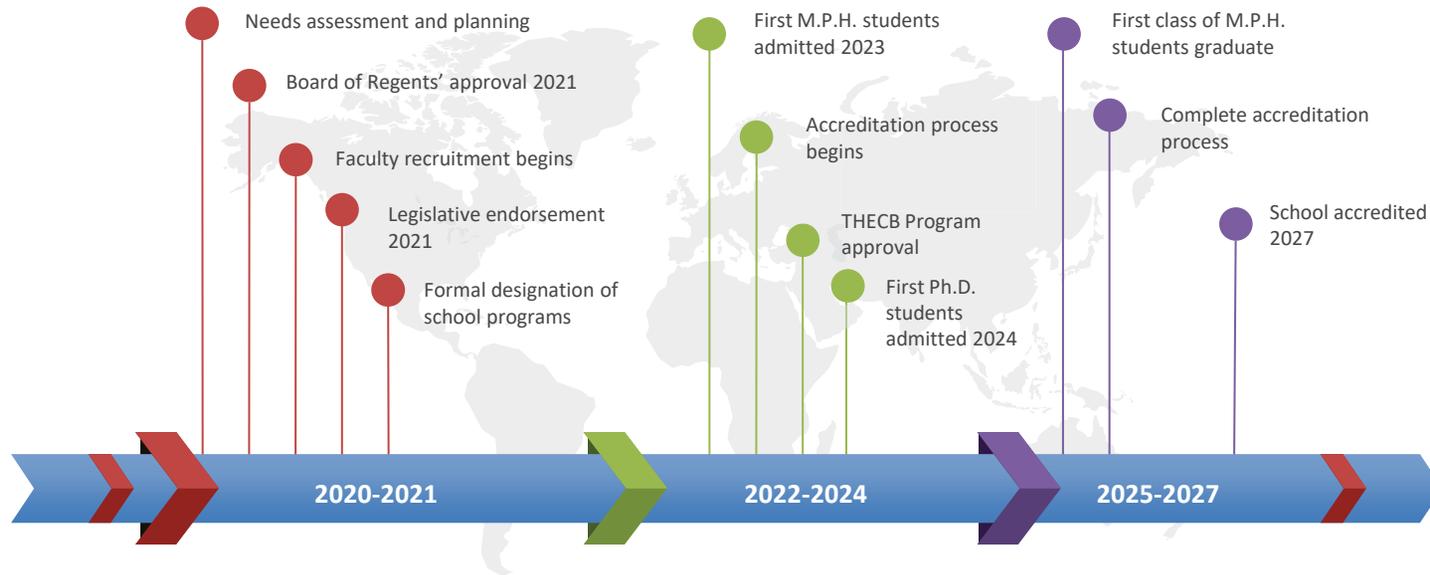
Proposed inaugural programs in the UTSWMC School of Public Health (SPH)

- **Cross cutting programs founded on pillars of UTSWMC strengths:**
 - Data Science
 - Health Systems Research
 - Epidemiology
 - Implementation Science
- **Application and concentrations within programs to include:**
 - Emerging infections
 - Chronic diseases
 - Disparities in health outcomes – social determinants of health
 - Global Health



UTSWMC SPH planning and launch timeline

Minutes - 40



4. U. T. Health Science Center - Houston: Framework for a Healthy Texas

This item was for consideration only by the Committee.

5. U. T. Health Science Center - San Antonio: Approval of preliminary authority for a Doctor of Nursing Practice degree program in Nurse Anesthesia

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and the institutional president that the U. T. System Board of Regents approve:

- a. preliminary authority to create a Doctor of Nursing Practice degree program in Nurse Anesthesia; and
- b. notification of the proposal to the Texas Higher Education Coordinating Board.

BACKGROUND INFORMATION

The School of Nursing at U. T. Health Science Center - San Antonio offers two doctoral-level degrees approved by the U. T. System Board of Regents: the Doctor of Philosophy (Ph.D.) in Nursing Science was approved on December 8, 1988, and the Doctor of Nursing Practice (D.N.P.) was approved on July 15, 2010. Within the D.N.P. program, the school enrolls students in different tracks. Nurses with a master's degree in nursing can obtain a D.N.P. in advanced practice leadership, executive administrative management, or public health nurse leadership. The Bachelor of Science in Nursing (B.S.N.) to D.N.P. pathway provides B.S.N. nurses with educational and career advancement opportunities to enable specialization in advanced practice nursing or public health. The schools' B.S.N. to D.N.P. pathway was approved by U. T. System's Executive Vice Chancellor for Health Affairs on November 17, 2017. Since the admission of the first class of students in Fall 2019, the school has demonstrated robust enrollment with over 150 students participating in the diverse program tracks.

The proposed D.N.P. Nurse Anesthesia Program will complement the school's educational portfolio. It will be designed as a three-year, full-time program, with an anticipated inaugural matriculating class in August 2022 of up to 18 students in the first cohort. The school anticipates achieving a comparable level of success with this much needed program to educate and train certified registered nurse anesthetists.

U. T. Health Science Center - San Antonio's proposed B.S.N. to D.N.P. Nurse Anesthesia program will be delivered through hybrid courses and faculty-supervised hands-on clinical experiences in a variety of health care settings. The curriculum will be an integration of D.N.P. core courses and nurse anesthetist specialty courses, developed by the Committee on Graduate Studies at the School of Nursing in collaboration with U. T. Health Science Center - San Antonio's Joe R. and Teresa Lozano Long School of Medicine's Department of Anesthesiology. The program will be in accordance with standards established by the Council on Accreditation of Nurse Anesthesia Educational Programs such that graduates will be able to perform within the full scope of Nurse Anesthesia practice.

The US Bureau of Labor Statistics projects employment of certified registered nurse anesthetists (CRNAs) to grow 17% from 2018 to 2028. This growth will occur “because of an increase in the demand for healthcare services,” the agency reports. Job opportunities for advanced-practice registered nurses (APRNs), including CRNAs, are likely to be excellent: APRNs will be in high demand, particularly in medically underserved areas such as inner cities and rural areas, the Bureau projects. This is especially relevant in Texas, home to the largest rural population of any state. Concomitant with that growth, beginning in 2023, more than 50% of full-time CRNAs expect to retire from anesthesia practice, according to the American Association of Nurse Anesthetists (2018-2019 Annual Reports).

Each year there has been a steady increase in the number of candidates applying to institutions where CRNA programs are offered; indeed, applicants greatly outnumber available positions. In its *Summary of Annual Report Data*, the Council on Accreditation of Nurse Anesthesia Educational Programs published the following:

- 6,891 applications were received for 1,633 available positions (2018)
- 10,615 applications were received for 2,020 available positions (2019)

CRNA programs in Texas report similar data: 670 qualified applicants for 213 available positions. Data is not available for Texas residents who applied for available out-of-state positions but did not apply for available positions in Texas. The five schools currently offering CRNA programs in Texas are Baylor College of Medicine (Houston), Texas Christian University (Fort Worth), Texas Wesleyan University (Fort Worth), U. T. Health Science Center - Houston, and the US Army Graduate Program in Anesthesia Nursing (Baylor University, Waco). Currently, there are no CRNA programs in New Mexico, a state with which Texas shares a border.

In 2009, the Council on Accreditation of Nurse Anesthesia Educational Programs (COA) voted to require nurse anesthesia educational programs to transition to a doctoral framework no later than January 1, 2022, at which point all new nurse anesthesia students must be enrolled in a doctoral program. COA provided the extended timeline to enable existing, as well as new programs sufficient time to plan the transition to the new requirement. This new educational and training requirement will further heighten and strengthen an already robust job market for CRNAs.

The School of Nursing's operational budget remains relatively stable despite fluctuating state appropriations. The stability is a result of faculty's entrepreneurial talents coupled with strategic planning efforts to grow the school, and include expanding the clinical practice, research and training grants, service contracts, and continuing education program opportunities. Additionally, the school will look to increased business opportunities through nursing continuing education and lifelong learning opportunities, new high-fidelity clinical simulation business partner opportunities, as well as continued key hospital partnerships to help support faculty salaries.

Currently, plans call for the D.N.P. Nurse Anesthesia program to be under the leadership of an executive team comprised of a director and assistant director who will report to the associate dean for graduate studies. The director and assistant director of the B.S.N. to D.N.P. Nurse Anesthesia program will advise on the program development, implementation, and evaluation. The program's core of experts will also include a CRNA who will serve as simulation specialist with teaching and advising responsibilities. A full complement of faculty will include four to five full-time equivalent faculty, adjunct faculty, as needed, and a clinical site coordinator.

In Academic Year (AY) 2019-20, the School of Nursing had 158 total faculty, of which 76 were full-time faculty and 71 held doctoral degrees. Of the full-time faculty, 20 faculty were tenured, eight were on the tenure-eligible track, and 64 were on the clinical track. The ratio of tenured and tenure-track faculty to clinical-track faculty is consistent with ratios across campus, given the strong practice-focused mission of a health-related institution. In AY 2019-20, the total faculty to total student ratio was 1:7.5. Teaching-productivity goals are tied to the number of students taught and a calculation of distribution of effort, i.e., teaching, practice, service, and research/scholarship. Scholarly-productivity goals are based on promotion and tenure guidelines and are acknowledged in calculation of distribution of effort. Once preliminary authority has been approved, a request to establish the degree program will be submitted to the U. T. System Board of Regents and the Texas Higher Education Coordinating Board.

6. U. T. Health Science Center - Tyler: Establish a Doctor of Medicine degree program within The University of Texas at Tyler

This item was for consideration only by the Committee.

7. U. T. Medical Branch - Galveston: Discussion and appropriate action regarding approval of proposed comprehensive leave program

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 Business Affairs, the Vice Chancellor and General Counsel, and the institutional president that authorization be granted by the U. T. System Board of Regents to:

- a. approve the adoption of the proposed comprehensive leave program, as set forth on the following pages, to be implemented during Fiscal Year 2021.
- b. authorize U. T. System through the Office of Business Affairs, Office of Health Affairs, and Office of the General Counsel to take all steps necessary to meet the requirements of *Texas Education Code* Section 51.961(h), including the negotiation and execution of documents.

BACKGROUND INFORMATION

Texas Education Code, Section 51.961, authorizes the governing board of a university system to adopt a comprehensive leave policy that applies to employees of any component institution of a university system. 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. Further, the leave policy must include certain provisions that address the effect of the policy on the rights, duties, and responsibilities of employees and employers. Specifically, the policy must include provisions for the payment and direct transfer of accrued leave.

As required by *Texas Education Code*, Section 51.961(h), prior to implementation, reasonable efforts will be made to enter into a memorandum of understanding with the Office of the Auditor, the Employee Retirement System of Texas, and the Texas Higher Education Coordinating Board regarding awards of accrued leave for the purposes of retirement and any other issues of concern related to the implementation of the policy. Accordingly, the Regents are further asked to authorize The University of Texas System with the assistance of U. T. Medical Branch - Galveston to negotiate and enter into a memorandum of understanding consistent with that requirement.

The proposed leave program is comprised of four primary components: (1) a bank of Paid Time Off (PTO) days; (2) an Extended Illness Bank (EIB) of days; (3) Reduced Paid Leave Program; and (4) Paid holiday schedule and floating holidays.

The PTO bank is designed to provide paid time off for an employee's discretionary use. The objective of the EIB is to provide income replacement through paid leave due to the serious illness of an employee or employee's eligible dependents. The Reduced Paid Leave Program will expand employee eligibility to use family/parental leave. The holiday-related provisions will establish a holiday schedule and also provide flexibility for employees to meet operational needs.

No appreciable cost impact is anticipated with implementation of the alternative paid leave program. Under implementation of the program, current leave balances will be combined and deposited into both the PTO bank and EIB, as applicable. Accrual rates for each bank are formula-driven based on an employee's years of service. Both PTO and EIB may be subject to accrual caps. Provisions for annual carry forward of bank balances, offer to buy back a designated portion of accrued PTO determined annually at U. T. Medical Branch's discretion, payouts, and direct transfers of balances to other state employers will be provided for in the program design.



Comprehensive Leave Program

Proposal

The University of Texas Medical Branch at Galveston (UTMB) submits to The University of Texas System Board of Regents (Board of Regents) a comprehensive leave program for approval. This program is pursuant to the authority of Texas Education Code Section 51.961, which authorizes the governing board of a university to adopt a comprehensive leave policy that applies to employees of any component institution. A leave policy adopted by the Board of Regents 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. Further, the leave policy must include certain provisions that address the effect of the policy on the rights, duties, and responsibilities of employees and employers. Specifically, the policy must include provisions for the payment and direct transfer of accrued leave.

Background

With approval of the Board of Regents, UTMB has an opportunity to restructure its current leave program to both enhance its value to employees and significantly reduce vacation liability over time. The objectives of its comprehensive leave program include paid leave benefits that will:

- Comply with Texas Education Code Section 51.961 and specifically addresses subject matter of Texas Government Code 661 and 662;
- Allow for greater flexibility to better respond to increasing financial and operational pressures;
- Better align with those of regional market competitors;
- Enhance ability to attract and retain employees;
- Provide a more equitable approach in the application of leave;
- Grant more flexibility to employees regarding their time off; and
- Encourage increased use of time off to promote wellness and work-life balance.

Proposed Comprehensive Leave Program

To accomplish these objectives, UTMB proposes to adopt a comprehensive leave plan comprised of four components:

1) Paid Time Off Bank (PTO)

- The PTO bank is designed to provide paid time off for an employee's discretionary use, providing staff and faculty more flexibility on requested time off.
- Moves 5 state holidays (normally used for Winter Break) into PTO bank also to be used at the employee's discretion.
- Establishes new accrual schedule based on years of service, earned monthly.

2) Extended Illness Bank (EIB)

- The objective of the EIB is to provide income replacement through paid leave due to the serious illness of an employee or dependent.

- Employees may be required to use 16 hours of PTO for each incident of illness with certain direct access of EIB provisions.
- The program may establish a cap on hours accrued under the new program.

3) **Reduced Leave Program**

- The Reduced Paid Leave Program (RPL) expands employee eligibility for family/parental leave and provides employees who have exhausted their PTO and Extended Illness Bank balances with job protection and reduced income that is a percentage of base.
- Employees may access RPL for absences resulting from an extended employee illness or injury, catastrophic illness or injury of eligible dependents, or parental leave.
- The program will include a limit on the maximum number of days that an employee is eligible for RPL.
- The amount of leave granted will be based on the medical disability standards for the specified medical condition.

4) **Official Paid Holiday Schedule:** provides benefits-eligible staff and faculty time off from work in observance of authorized state and national holidays.

With the implementation of the proposed program, current accrued leave balances will be combined and deposited into both the PTO bank and EIB. Going forward, accrual rates for each bank are formula-driven based on an employee's years of service. Both PTO and EIB may be subject to accrual caps. Provisions for annual carry forward of bank balances, an offer to buy back a designated portion of accrued PTO, at UTMB's discretion determined annually, payouts, and direct transfers of balances to other state employers will be provided for in the program design.

UTMB anticipates implementing the program no later than August 2021.

UTMB will develop the final policy details in cooperation with and subject to approval of the U. T. System Office of General Counsel and Office of Health Affairs.

8. U. T. Health Science Center - Houston: Request to approve the honorific naming of the Department of Oral and Maxillofacial Surgery within the School of Dentistry as the Dr. Bernard and Gloria Katz Department of Oral and Maxillofacial Surgery

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Vice Chancellor for External Relations, Communications, and Advancement Services, and the institutional president that the U. T. System Board of Regents approve the honorific naming of the Department of Oral and Maxillofacial Surgery within the School of Dentistry as the Dr. Bernard and Gloria Katz Department of Oral and Maxillofacial Surgery.

BACKGROUND INFORMATION

In recognition of Dr. Bernard and Gloria Katz's long history of contributions to the university, U. T. Health Science Center - Houston would like to name the Department of Oral and Maxillofacial Surgery within the School of Dentistry in their honor.

The Department of Oral and Maxillofacial Surgery is one of eight departments within the School of Dentistry. The Department has 23 full- and part-time faculty members and its residency program is the largest in the nation and the only such training program in Houston. The overall residency program is selective, currently accepting only six residents per year from typically more than 250 applications.

Dr. Katz graduated from U.T. Health Science Center - Houston's School of Dentistry in 1962 with a D.D.S. and in 1965 with an M.S. He was the sixth alumnus of the School. He established the School of Dentistry's first chair in oral maxillofacial surgery. He later served as a part-time faculty member from 1968 to 1985 and performed surgical rotations at U. T. M. D. Anderson Cancer Center. He also served as President of the Houston Society of Oral and Maxillofacial Surgery.

Dr. Katz was instrumental in creating a community-wide initiative in the Houston area for mutual coverage of practices when a practitioner fell ill or passed away.

In December 2020, Dr. and Mrs. Katz made another generous gift to the School of Dentistry.

Dr. Katz's contributions to advance U. T. Health Science Center - Houston, his longtime service to the profession and community, and his generous financial support to the department that trained him, have all made a powerful impact on students, alumni, and faculty.

This naming proposal is consistent with Regents' *Rules and Regulations*, Rule 80307, relating to honorific namings to recognize extraordinary contributions.

REPORT OF THE FACILITIES PLANNING AND CONSTRUCTION COMMITTEE
(Pages 49 - 54).--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. Rio Grande Valley: School of Medicine Vivarium and Office Building - 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 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 School of Medicine Vivarium and Office Building project at The University of Texas Rio Grande Valley.

BACKGROUND INFORMATION

Previous Actions

On January 22, 2021, the Chancellor approved this project for Definition Phase. On November 14, 2019, the Board approved \$8,920,000 of Permanent University Fund (PUF) Bond Proceeds for this project.

Project Description

The UTRGV School of Medicine has experienced rapid growth across the clinical, academic, and research missions. The Department of Human Genetics, established in 2017, has faculty on both the Edinburg and Brownsville campuses. The offices for the faculty based in Brownsville are in a modular building that was placed on the campus in 2015. New offices that are proximate to the laboratories and an expansion of laboratory space are urgently needed to facilitate the conduct of research supported by multiple National Institutes of Health grants.

The proposed building will be located on the northern section of the Brownsville campus and will house faculty and administrative offices, a state-of-the-art vivarium, a laboratory, an MRI suite with exam rooms, offices, and associated labs. Currently all imaging is conducted in San Antonio due to the lack of a dedicated research imaging facility in the Rio Grande Valley. Grant funding provided by the Valley Baptist Legacy Foundation will support construction of the MRI suite. This facility will

allow dramatic expansion of research in imaging genomics and associated funding for imaging genomics.

This proposed project has been approved by U. T. System staff and meets the criteria for inclusion in the CIP. As this project was underway as an institutionally managed minor project, it has been determined that this project remain managed by UTRGV Facilities Management personnel who have the experience and capability to manage all aspects of the work. 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 Rio Grande Valley
School of Medicine Vivarium and Office Building**

Project Information

Project Number	903-1307
CIP Project Type	New Construction
Facility Type	Laboratory, General
Management Type	Institutional Management
Institution’s Project Advocate	Sarah Williams-Blangero, Chair, Department of Human Genetics and Director, South Texas Diabetes and Obesity Institute
Project Delivery Method	Competitive Sealed Proposal
Gross Square Feet (GSF)	17,149

Project Funding

Permanent University Fund Bond Proceeds ¹	<u>Proposed</u> \$8,920,000
Grants ²	6,000,000
Unexpended Plant Funds	<u>856,663</u>
Total Project Cost	\$15,776,663

¹Permanent University Fund (PUF) Bond Proceeds approved 11/2019

²Grants from Valley Baptist Legacy Foundation

Project Cost Detail

Building Cost	\$10,534,921
Fixed Equipment	778,150
Site Development	545,604
Furniture and Moveable Equipment	805,376
Institutionally Managed Work	1,087,356
Architectural/Design Services	868,172
Project Management Fees	105,355
CIP Support Fee	188,725
Insurance	107,843
Other Professional Fees	313,007
Project Contingency	431,370
Other Costs	<u>10,784</u>
Total Project Cost	\$15,776,663

**The University of Texas Rio Grande Valley
School of Medicine Vivarium and Office Building**
(continued)

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

School of Medicine Vivarium and Office Building	\$614
The Texas Higher Education Coordinating Board Average for Laboratory, General	\$584

	Low Quartile	Median	High Quartile
Other U. T. System Projects	\$484	\$537	\$854
Other Texas Projects	\$560	\$639	\$752
Other National Projects	\$572	\$751	\$913

Investment Metrics

- Increase research space for School of Medicine by 2022
- Develop laboratories by function rather than investigator to enhance departmental research programs, by 2022

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	January 2021
Addition to CIP	February 2021
Design Development Approval	May 2021
Construction Notice to Proceed	June 2021
Substantial Completion	July 2022

Basis of Design

The planned building life expectancy includes the following elements:

- Enclosure: 50 years
- Building Systems: 25 years
- Interior Construction: 20 years

3. U. T. Southwestern Medical Center and U. T. Dallas: Biomedical Engineering and Sciences Building - 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 Health Affairs, the Executive Vice Chancellor Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional presidents that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) to include the Biomedical Engineering and Sciences Building project at The University of Texas Southwestern Medical Center.

BACKGROUND INFORMATION

Previous Actions

On September 16, 2020, the Chancellor approved this project for Definition Phase. On November 14, 2019, the Board approved \$90,000,000 in Permanent University Fund (PUF) Bond Proceeds for the joint Translational Biomedical Engineering and Sciences Building project between The University of Texas Southwestern Medical Center and The University of Texas at Dallas.

Project Description

Recent and previously unimaginable advances in bioengineering have been limited by the need to translate biomedical technologies from the idea stage to improved treatment for millions of patients. A critical element to advancing this vision is a well-designed and centralized facility to optimally connect engineers with physicians and patients, accelerating the advancement of medical technologies, training, and education for students. The University of Texas Southwestern Medical Center (UTSWMC) and The University of Texas at Dallas (UTD), leveraging research strengths in basic and applied biomedical and engineering sciences, propose to expand their partnership from research to real-world applications, and achieve the synergy necessary to realize the potential of a premier joint department of biomedical engineering.

The proposed joint UTSWMC/UTD Biomedical Engineering and Sciences Building would solve the need for proximity between physician and engineering researchers and provide essential access to a patient population. A specialized facility would provide space for effective collaboration, including labs designed for equipment development and testing; research bench space; interactive office space for informaticists and software developers; patient space to allow for assessment of research participants and translational trials; shared support space ranging from conferencing rooms to device fabrication shops; and potential co-location of imaging equipment and services. This five-story building located on the UTSWMC campus,

will include administrative space on the first floor, while the second through fifth floors will be dedicated to research lab space that will be programmed for multiple principal investigators. Surface parking is also included in the project.

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. Pursuant to a Memorandum of Understanding effective September 1, 2016, U. T. Southwestern Medical Center has delegated authority of institutional management of construction projects under the continued oversight of the Office of Capital Projects.

**U. T. Southwestern Medical Center and U. T. Dallas
Biomedical Engineering and Sciences Building**

Project Information

Project Number	303-1338
CIP Project Type	New Construction
Facility Type	Laboratory, General
Management Type	Institutional Management
UTSWMC Project Advocate	Dwain Thiele, Vice Provost and Sr. Associate Dean
UTD Project Advocate	Joseph Pancrazio, Vice President for Research
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	150,169
Surface Parking Spaces	285

Project Funding

Permanent University Fund Bond Proceeds ¹	<u>Proposed</u> \$90,000,000
Gifts	<u>\$30,000,000</u>
Total Project Cost	\$120,000,000

¹ Permanent University Fund (PUF) Bond Proceeds approved 11/2019

Project Cost Detail

Building Cost	\$ 75,291,851
Fixed Equipment	8,650,000
Site Development	7,749,822
Furniture and Moveable Equipment	2,890,000
Institutionally Managed Work	1,370,000
Architectural/Design Services	5,790,344
Project Management Fees	3,620,000
Insurance	1,700,000
Other Professional Fees	3,912,099
Project Contingency	8,325,884
Other Costs	700,000
Total Project Cost	\$120,000,000

**U. T. Southwestern Medical Center and U. T. Dallas
Biomedical Engineering and Sciences Building**
(continued)

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

Biomedical Engineering and Sciences Building		\$501	
Texas Higher Education Coordinating Board Average – Laboratory, General		\$584	
	Low Quartile	Median	High Quartile
Other U. T. System Projects	\$423	\$494	\$526
Other National Projects	\$432	\$555	\$658

Investment Metrics

- Promote deeper collaboration between UTSWMC and UTD to provide biotechnologies to advance patient care.
- Accelerate UTD toward excellence and national recognition of its Department of Biomedical Engineering.
- Accelerate UTSWMC toward bench-to-bedside translation of groundbreaking basic science.

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 2020
Addition to CIP	February 2021
Design Development Approval	May 2021
Construction Notice to Proceed	June 2021
Substantial Completion	May 2023

Basis of Design

The planned building life expectancy includes the following elements:

- Enclosure: 30 years
- Building Systems: 30 years
- Interior Construction: 30 years

APPROVAL OF STANDING COMMITTEE RECOMMENDATIONS AND REPORTS.--
At 9:05 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 5 requests approval for a transfer between fund sources associated with the previously approved contract with Oracle to cover costs at the Arlington Data Center.

Regents Beck, Hicks, and Jiles will abstain from discussion and vote due to financial interests.

- Item 7 requests approval for a contract with Lockheed Martin Corporation for a College Work Experience Program at U. T. Arlington.

Regents Beck and Hicks will abstain from discussion and vote due to financial interests.

- Item 12 requests approval of terms of an Employment Agreement and a related Professional Services and License Agreement for new U. T. Austin Head Football Coach Steve Sarkisian.
- Items 13 - 22 request approval for terms of employment for Assistant and Associate Football Coaches for U. T. Austin.
- Item 23 requests approval of the appointment of Jennifer Johnson, Associate Professor of Instruction at U. T. Dallas, as a member of the Texas State Board of Public Accountancy. The State Board offers members a \$100 per diem for days conducting Board business, and Professor Johnson will take leave for any work hours overlapping with board service if she accepts the per diem.

In approving this item, the Board is asked to make a finding that holding of the position is of benefit to the State of Texas and U. T. Dallas, and that there is no conflict between the position and the University.

- Item 27 requests approval of amendments to terms of the Employment Agreement for current U. T. San Antonio Head Football Coach Jeffrey Michael Traylor.

- Item 28 requests authorization of expenditure of gift funds by the Health Science Center at U. T. Tyler to purchase urology equipment for use at Jacksonville Hospital, LLC, dba U. T. Health Jacksonville.

The Board is also asked to make a finding that the expenditure supports the public mission of and serves public purposes appropriate to the functions of the Health Science Center at U. T. Tyler for the reasons set forth in the item; is structured with adequate safeguards and controls in place to ensure the public purpose will continue to be met on an ongoing basis; and will result in adequate consideration and benefits to the institution.

- Item 31 requests approval to set a differential tuition rate for the Master of Science in Health Informatics at U. T. Southwestern Medical Center.
- Item 35 requests approval of a contract for U. T. Health Science Center - Houston to operate a charter school in the Victoria Independent School District.
- Item 37 has been deferred.
- Item 43 requests authorization for the sale of land to the Texas Medical Center for use in connection with the proposed TMC3 research park.

Regent Crain moved approval, which was seconded by Vice Chairman Longoria. The Board then approved the Consent Agenda, which is set forth on Pages 74 - 113.

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: Report on Fiscal Year 2020 Philanthropic Performance and Outcomes across U. T. Institutions

Vice Chancellor Safady provided a summary report on development performance of U. T. institutions for Fiscal Year 2020, as set out on the following pages.

Philanthropic Performance and Outcomes Across U. T. Institutions, FY2020

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

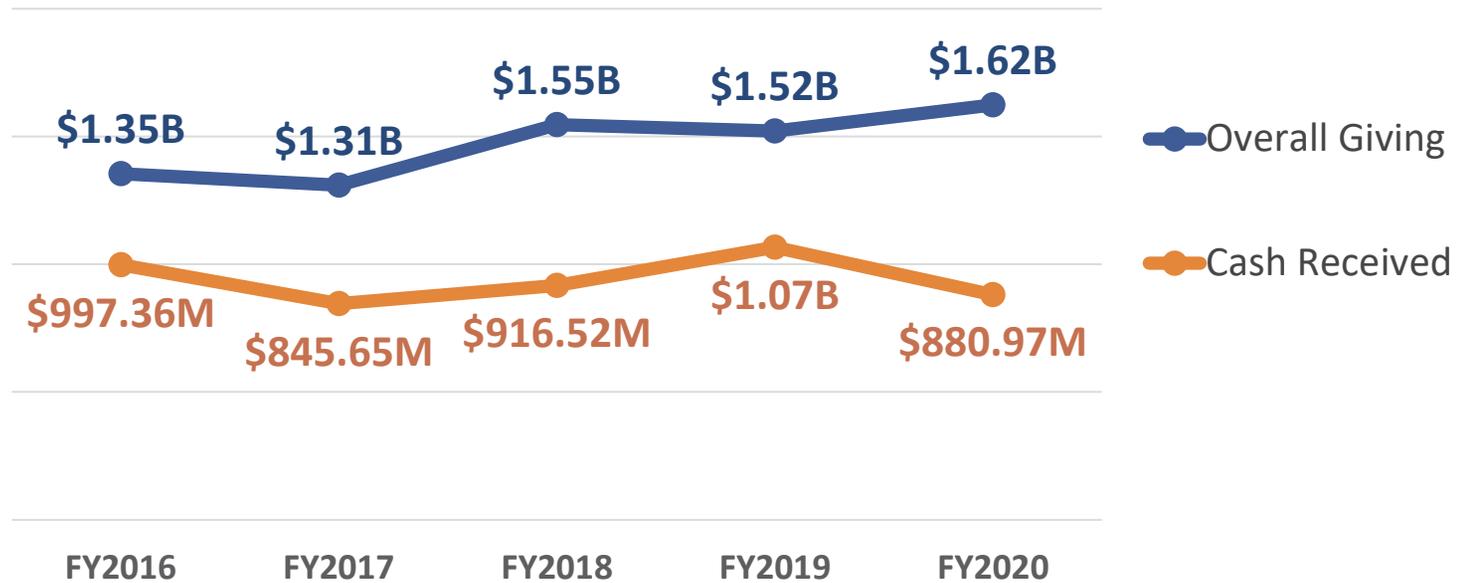
U. T. System Board of Regents Meeting
February 2021



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Overall Giving and Cash Received FY2016-FY2020



**Overall Giving = cash, pledges, and new testamentary commitments at present value*

Minutes - 58



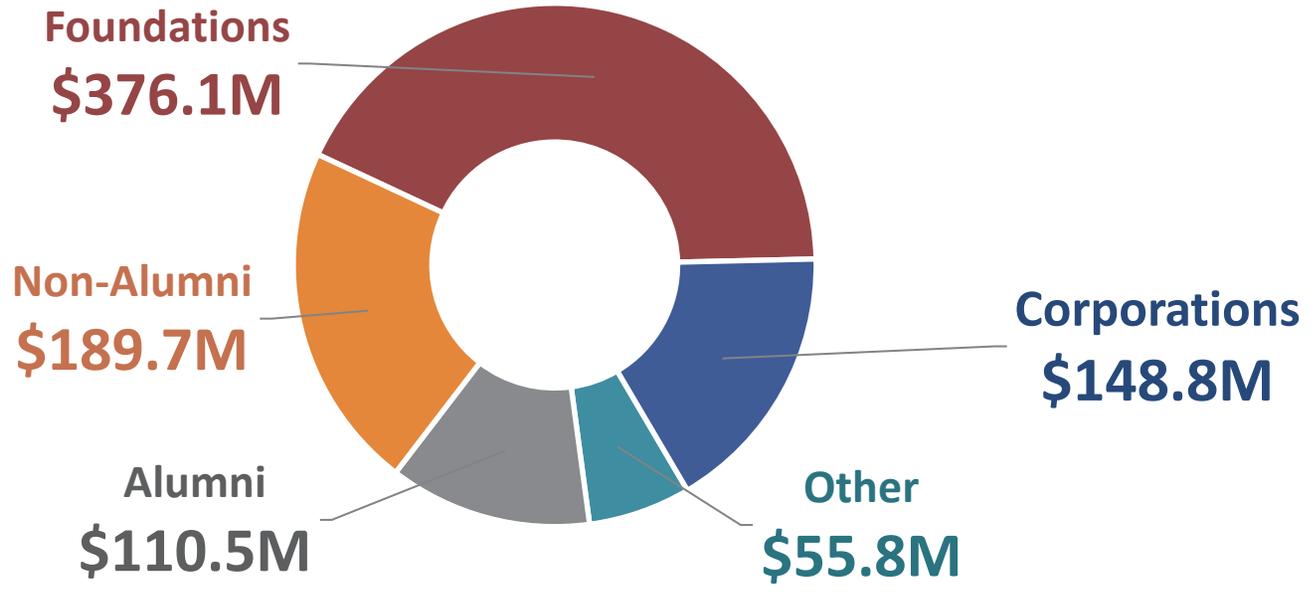
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Sources of Gifts in FY2020

Minutes - 59

Individuals
\$300.2M

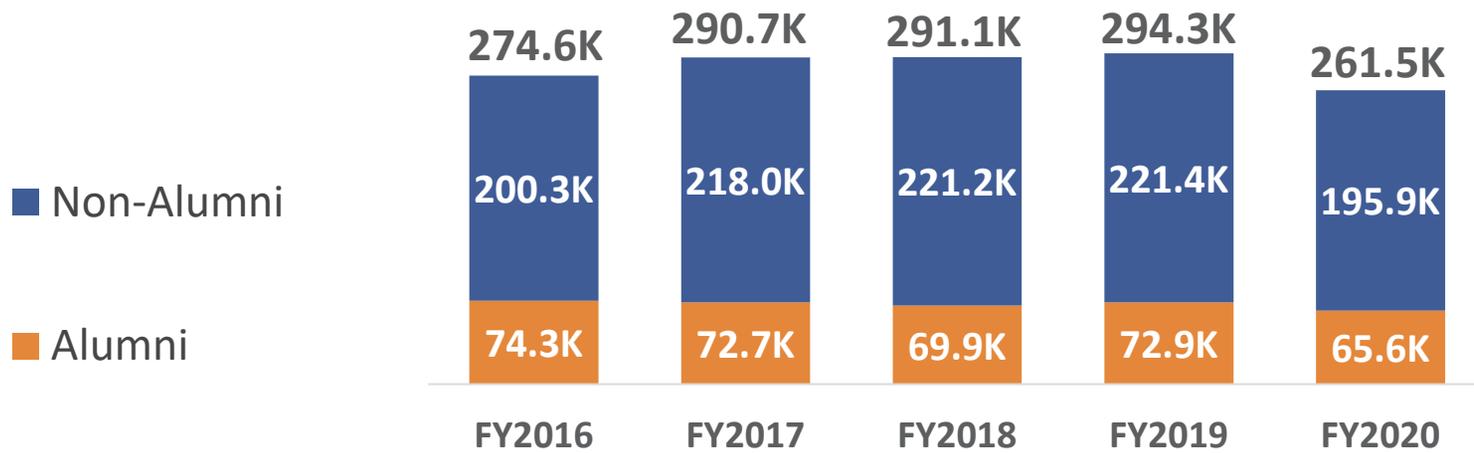


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Individual Donor Count FY2016-FY2020: Total

Minutes - 60



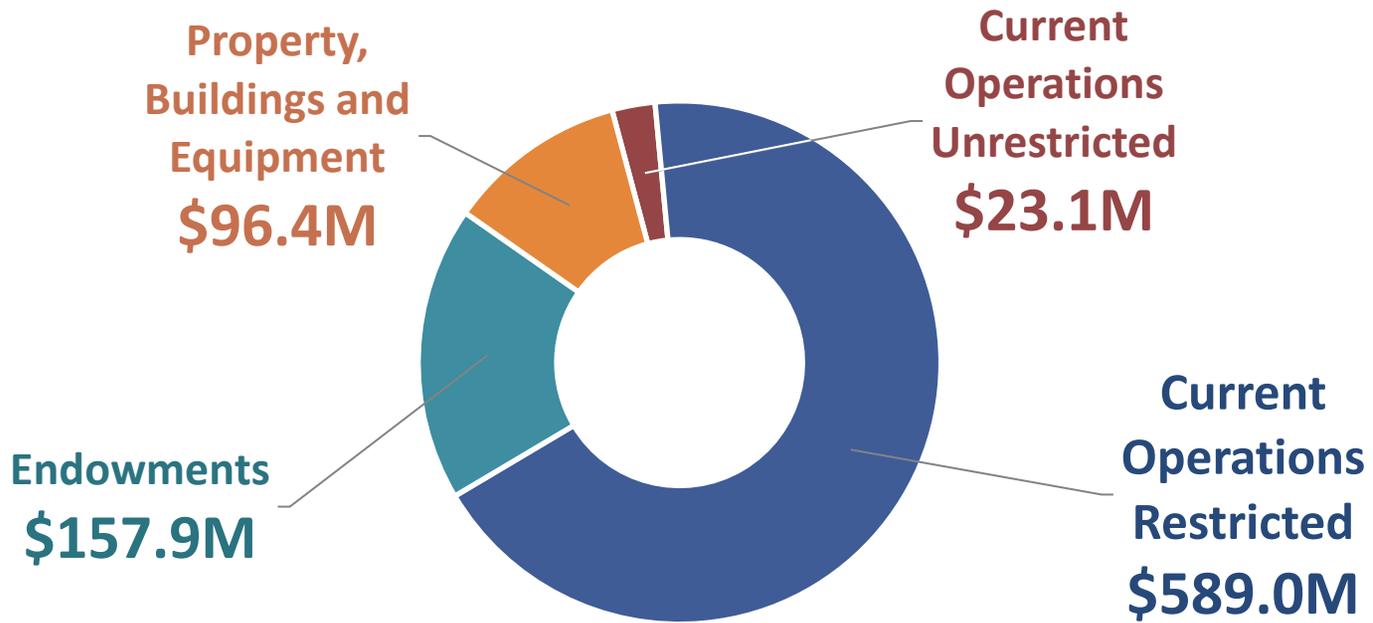
Alumni of Record:	1,226,058	1,278,090	1,394,619	1,457,555	1,514,106
Participation Rate:	7.1%	6.1%	5.7%	5.0%	4.3%



THE UNIVERSITY of TEXAS SYSTEM
FOURTEEN INSTITUTIONS. UNLIMITED POSSIBILITIES.

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Designation of Cash Gifts in FY2020

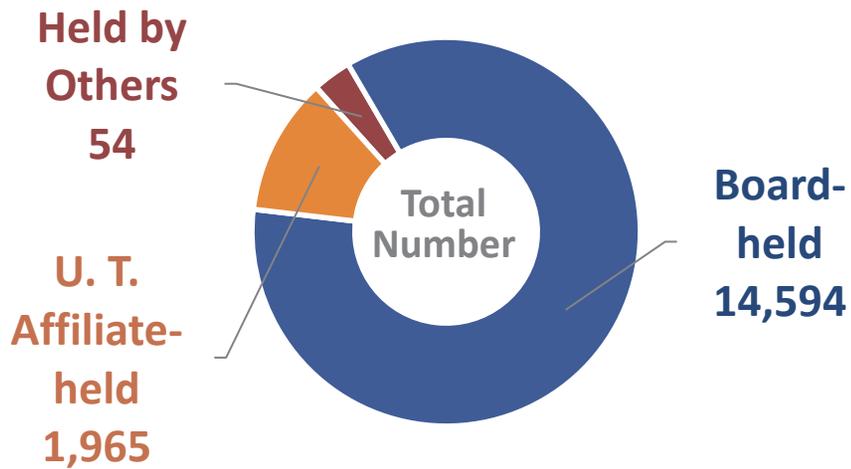


Minutes - 61

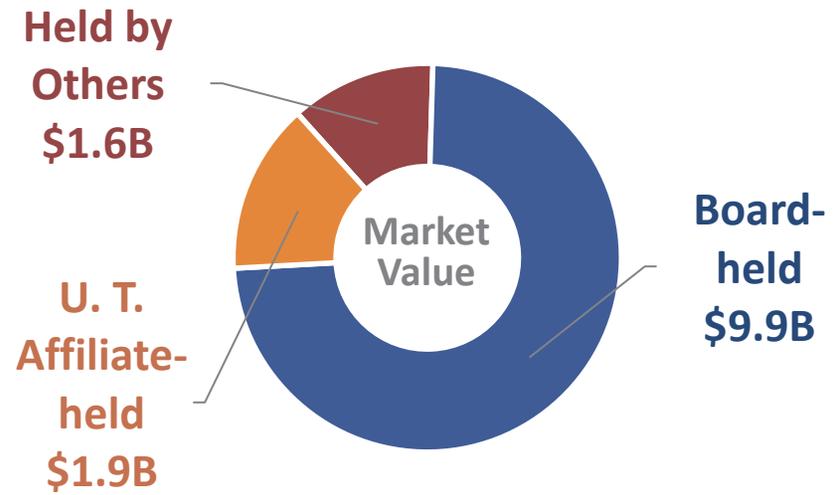


Endowment Status FY2020

Minutes - 62



16,613 total endowments held by Board and external entities

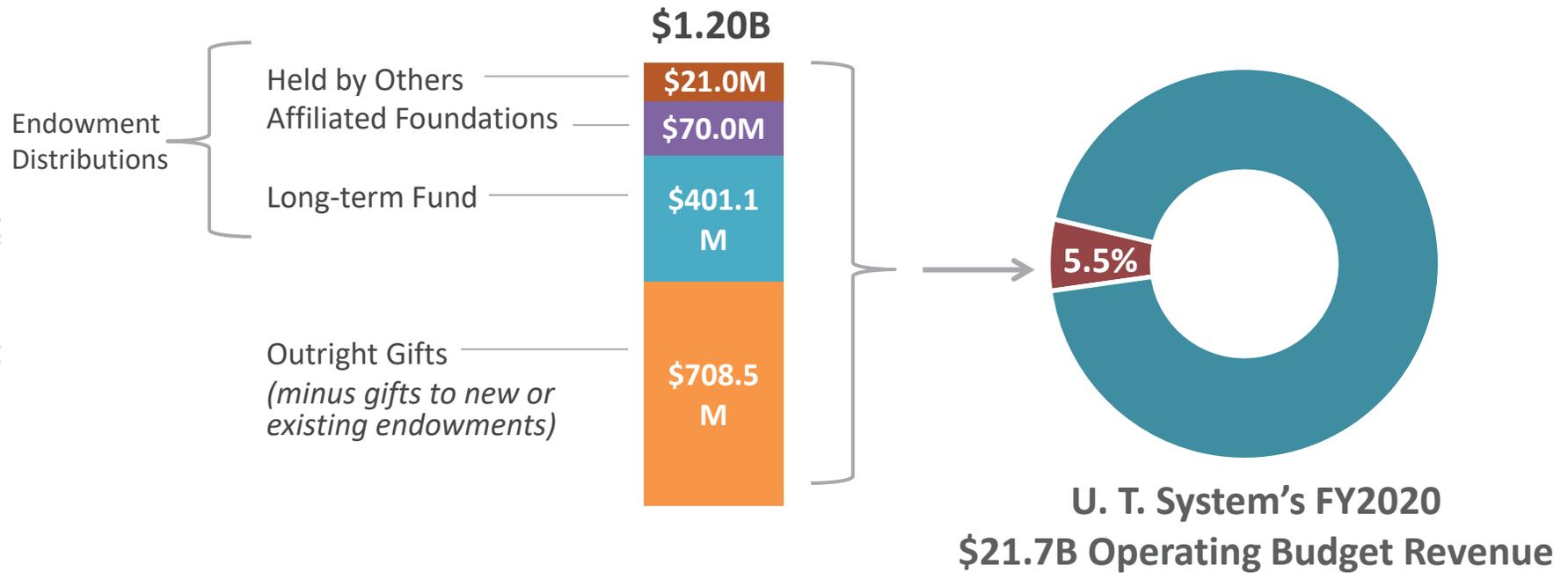


\$13.5 billion in total market value



Impact of Philanthropy in FY2020

Minutes - 63



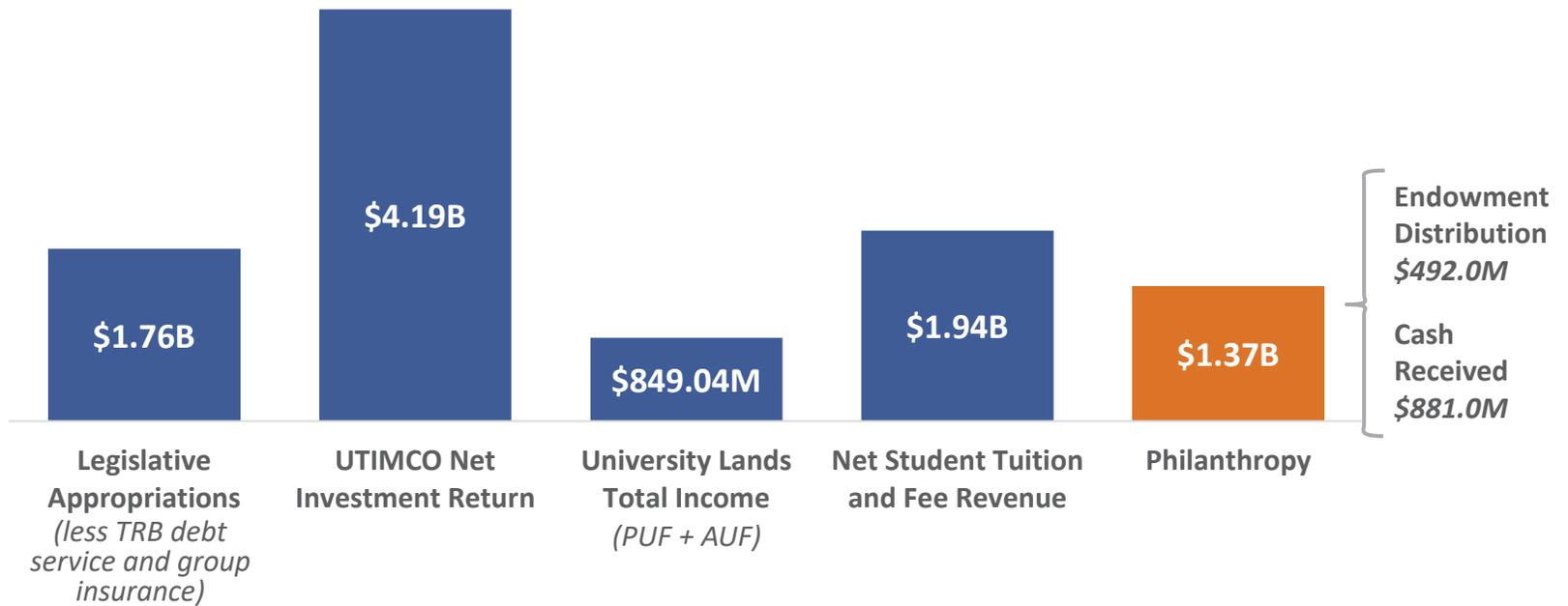
THE UNIVERSITY of TEXAS SYSTEM
FOURTEEN INSTITUTIONS. UNLIMITED POSSIBILITIES.

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Select Revenue Sources in FY2020

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

Minutes - 64



What We Have Learned

- Like many other services and programs, the pandemic has and will reveal new philanthropic opportunities and strategies.
- Donors remained committed to the missions of U. T. institutions and initiatives and programs of long-term interest to them even during challenging times.
- We are beginning to see the power of virtual engagement and technology to expand engagement and philanthropic support.



Going Forward in the Near Term

- Large gifts for capital needs may experience challenges.
- Fundraising initiatives underway emphasize student financial aid and student health and wellness.
- With the rise of online learning, fundraising for technology to enhance digital learning experiences is emerging.
- A greater interest for giving to STEM and medical and scientific programs is emerging.
- Growing partnerships with tech industries are anticipated.



3. U. T. System: Update on the Systemwide student mental health, student safety, and alcohol-related programs

Dr. Wanda Mercer, Associate Vice Chancellor for Student Affairs in the U. T. System Office of Academic Affairs, and Dr. Christopher Brownson, Associate Vice President for Student Affairs at U. T. Austin, provided an update on the Systemwide student mental health, student safety, and alcohol-related programs as set forth on the following pages.

Chairman Eltife expressed his support for the student programs and Regents Jiles, Perez, and Hicks commented on the importance of maintaining access to these programs for the health and well-being of all students. Student Regent Ojeaga asked about the requirements for participation in the various programs systemwide.

**Update on Systemwide
Mental Health, Student Safety, and Alcohol-Related Programs
The University of Texas System, Office of Academic Affairs
Cost for 3 Years: \$5,995,237
Academic Years (AY) 2018-19 through 2020-21**

On February 27, 2018, the U. T. System Board of Regents approved funding for the projects detailed below, with six slated to expire at the end of the 2020-2021 academic year. Three projects (the first three below) were slated for future discussion with the Board of Regents.

The funding for these programs was allocated to and managed by U. T. Austin, and the programs were carried out across the U. T. System institutions under the leadership of U. T. Austin. Every institution in the U. T. System now has an after-hours crisis line available for all students in the U. T. System; a robust selection of relevant compliance and education modules about sexual assault/harassment, alcohol and other substance use, diversity, COVID-19 safety, mental health, and an app on student well-being developed by U. T. Austin and customized for each U. T. System institution. At the academic institutions, this funding allocation has seeded and launched branded bystander intervention programs, health education campaigns about the intersection of alcohol use and consent, collegiate recovery programs, and Brief Alcohol Screening Intervention for College Student (BASICS) programs that will continue into the foreseeable future for most campuses beyond the end of this funding cycle.

Through good financial stewardship of the Board's investment and leveraging the collective buying power of the U. T. System for better pricing, we are able to continue the After-Hours Crisis Line (ProtoCall), Web-based education (EverFi), the Thrive@UT app, and the National Collegiate Health Assessment through the AY 2022-2023.

More detailed information is presented below on each of the programs.

(1) ProtoCall: An After-Hours Crisis Counseling Service (Funds used from previous allocation and unspent funds from other initiatives)

This program provides 24/7/365 mental health crisis-support for students at all academic and health institutions in the U. T. System.

- This was one of three programs that was earmarked for future consideration of continued U. T. System funding after 2020-2021 because of the significant savings from doing this as a system. Due to negotiating better pricing and realizing savings from the other programs, this service is now solvent through 2022-2023, so additional funding is not needed at this time.
- Over the past five years of this program we have had 19,000 total calls, 3,798 of which were urgent and 241 emergent, many of those emergent calls resulting in imminent interventions stopping suicide attempts in progress.

(2) EverFi: Web-based Alcohol Education (Alcohol Edu) and Sexual Assault/Harassment Prevention for Students; Harassment, Diversity, and Other Training for Faculty/Staff (\$800,000 over two years)

This training is a critical part of Title IX compliance and satisfies NCAA training

requirements for athletes and coaches. In addition to sexual assault prevention and alcohol education for all students, campuses have used the vendor's training modules on mental health and well-being, diversity and inclusion, and COVID-19 safety and education.

- This was one of three programs that was earmarked for future consideration of continued U. T. System funding after 2020-2021 because of the significant savings from doing this as a system. Due to negotiating better pricing and realizing savings from the other programs, this program is now solvent through 2022-2023 so additional funding is not needed at this time.
- Over the past three years there have been 442,565 courses completed across the U. T. System.
- In a multisite randomized control study, Alcohol Edu significantly reduced heavy episodic (“binge”) drinking and alcohol-related problems during the fall semester after students took the course—a time that is known to be the riskiest period for new college students to drink heavily.
- Users of the Sexual Assault Prevention for Undergraduates program showed statistically significant increases in self-reported ability and intention to intervene to prevent sexual assault and relationship violence.

(3) TAO: Telehealth Video Platform for Mental Health Services and Web-based/App-based Video Self-Help Modules (\$570,000 over three years)

This technology has two parts: (1) an intervention component that consists of mental health modules on anxiety, depression, stress, substances abuse, and (2) a HIPAA compliant tele-counseling platform for clinicians to use.

- In 2018, the vendor was chosen because they were the only company to have both online mental health modules combined with a telecounseling platform. Since that time, and partially due to COVID-19, there are now a proliferation of telecounseling platforms available.
- Some U. T. institutions pulled out of this vendor contract, which yielded additional savings. This contract expires at the end of 2020-2021.
- This was one of three programs that was earmarked for future consideration of continued U. T. System funding after 2020-2021 because of the significant savings from doing this as a system. There is significant interest from campuses to continue the mental health module component with a new vendor bid process.

(4) Thrive@UT: An App to Enhance Student Well-Being (\$151,000 over three years)

Thrive@UT is an app created by U. T. Austin that has engaging videos, guided exercises, interactive assignments, and text notifications designed to help students integrate new well-being concepts into their daily lives. This funding allowed us to create a content management system, expand the iPhone app to Android, customize it for each U. T. System campus, and maintain a vendor contract for hosting and updating the app. Twelve of 14 academic and health campuses use the app.

- Due to realizing savings from this and the other programs, this project is now solvent through 2022-2023.
- 96% of users agreed that the app helped them improve their well-being.

(5) National Collegiate Health Assessment (NCHA) (\$81,133 over three years)

The NCHA is a national survey for college students about health, mental health, and well-being. It provides critical data and trends used for planning services, assessment,

interventions, and prevention programs in health, counseling, and wellness centers across the country. Each campus receives their own data, and we have system-level data as well.

- Due to realizing savings from the other programs, this project is now solvent through 2022-2023.

(6) Bystander Intervention Program (\$815,000 over three years)

This program aims to reduce sexual assault, relationship violence, drug overdose, suicide, incidents of bias, hazing, and academic dishonesty through bystander intervention. The program emphasizes the critical expectation that we watch out for one another and intervene, when necessary. There have been multiple reports of participants intervening to help others, and in some instances actually saving lives after campus trainings. Bystander Intervention is currently being applied to encourage reporting problematic behavior related to COVID-19 on some campuses.

- All academic campuses have active and named bystander intervention programs.
- This will cease as a U. T. System-funded program at the end of 2020-2021, although all academic campuses intend to continue their programs.

(7) Collegiate Recovery Programs (CRPs) (\$1,595,500 over three years)

This program enables academic institutions to maintain their CRPs, which allow students in recovery or seeking recovery to have a drug- and alcohol-free college experience, with peers and staff who provide support, education, community, and outreach.

- All academic campuses have active and named collegiate recovery programs.
- This will cease as a U. T. System-funded program at the end of 2020-2021, although seven of eight academic institutions intend to continue their programs.

(8) Prevention/Early Intervention for High-Risk Drinking (BASICS) (\$537,404 over three years)

BASICS is an evidenced-based program designed for students at academic institutions who drink heavily and have experienced negative consequences. It is aimed at revealing the discrepancy between a student's risky drinking behavior and their goals and values.

- All academic campuses have utilized BASICS.
- This will cease as a U. T. System-funded program at the end of 2020-2021, although many academic institutions intend to continue their programs.

(9) Health Communication Campaign About Alcohol and Consent (\$227,000 over three years)

This campaign addresses the intersection of alcohol use and consent among college students. U. T. Austin contracted with the Center for Health Communication at the Moody College of Communication and the Dell Medical School to lead the creation of messaging. This campaign was piloted at U. T. El Paso and U. T. Austin and a toolkit was shared with the other academic campuses in January 2021 as the final step of this campaign.

The Board of Regents' investment in the programs listed above has had a tremendous impact on the students in the U. T. System and the faculty and staff who are invested in their academic success and well-being. We are proud of the accomplishments of these programs, indebted to the hard work and expertise of the staff who implemented these programs at each of the campuses, pleased that we have been able to stretch the initial investment to continue supporting the well-being of our students, and grateful to the Board of Regents for their support in these programs that have life-changing and, at times, life-saving impacts on our students.

4. U. T. System: Update and possible appropriate action related to implementation of the Higher Education Emergency Relief Fund II (HEERF II) as authorized by the Coronavirus Response and Relief Supplemental Appropriations Act

The Chancellor updated the U. T. System Board of Regents on this topic and the plans submitted by the U. T. institutions to expend funds received.

BACKGROUND INFORMATION

The Higher Education Emergency Relief Fund II (HEERF II) is authorized by the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), Public Law 116-260, signed on December 27, 2020. This new law gives the U.S. Department of Education funds to distribute to institutions of higher education for direct support to students and to respond to the coronavirus.

RECESS TO EXECUTIVE SESSION.--At 9:43 a.m. the Board recessed to Executive Session, pursuant to *Texas Government Code* Sections 551.071, 551.072, 551.073, 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 11:18 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. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed compensation for Welela Tereffe, M.D., M.P.H., Chief Medical Executive and Professor, Clinical Faculty in the Department of Radiation Oncology, Division of Radiation (Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees)

Vice Chairman Longoria made the following motion:

I move that the U. T. System Board of Regents approve the proposed changes in compensation for those individuals listed in Agenda Items 1b and 1c 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. M. D. Anderson Cancer Center, or U. T. Southwestern Medical Center, as appropriate, as well as U. T. System as required by state law.

The motion was seconded by Regent Crain and carried unanimously.

- 1c. U. T. Southwestern Medical Center: Discussion and appropriate action regarding proposed compensation for Nader Pouratian, M.D., Ph.D., Professor and Chairman of the Department of Neurological Surgery (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

Vice Chairman Weaver 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. Austin, U. T. Dallas, and U. T. Medical Branch - Galveston to conclude negotiations necessary to finalize, approve, and accept gifts and to finalize and execute any agreements with potential naming features for the benefit of the institutions consistent with the terms and conditions outlined and recommended in Executive Session.

The motion was seconded by Vice Chairman Longoria 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.

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.

5. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property

No action was taken on this item.

ADJOURNMENT.--There being no further business, the meeting was adjourned at 11:20 a.m.

/s/ Tina E. Montemayor
Secretary to the Board of Regents
February 25, 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 November 18-19, 2020; and the special called meeting held December 21, 2020

AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE

No items for Consent Agenda

FINANCE AND PLANNING COMMITTEE

2. Contract (funds going out) - U. T. System: Huron Consulting Services LLC to continue hosting online Effort Certification and Reporting Tool (ECRT) software

Agency: Huron Consulting Services LLC (Huron)

Funds: \$1,892,000

Period: January 1, 2021 through December 31, 2023; subject to any affected U. T. institution terminating its participation earlier, at will, on 30 days' notice to Huron

Description: On November 9, 2007, the Board approved a U. T. System contract to license Huron's Effort Certification and Reporting Tool (ECRT) software for use by U. T. institutions. The software supports compliance with federal regulations on reporting time and effort expended by faculty and staff on research projects and in other professional activities (teaching, patient care, etc.).

The ECRT software was initially hosted at U. T. M. D. Anderson Cancer Center. In October 2011, U. T. System transferred ECRT hosting responsibilities to Huron. On May 14, 2015, the Board approved the expenditure of up to \$1,300,000 to pay aggregate fees from inception of the hosting agreement through calendar year 2015. On May 12, 2016, the Board approved an extension of the Agreement through calendar year 2017, subject to a cap on aggregate hosting fees of \$2,000,000. For reasons indicated below, the extension for calendar year 2017 was not executed.

The 2011 transfer of ECRT hosting responsibilities to Huron was based on a sole source justification. In the interim, other potential providers of ECRT hosting services were identified, and U. T. System conducted a competitive procurement for these services for 2016 and beyond. However, in the course of this procurement, it became apparent that, because of a change in federal regulations, alternative means of compliance had become available that could eliminate the need for the ECRT software. As a result, U. T. System terminated the procurement, while the institutions pursued adoption of the alternative means of compliance.

In subsequent detailed investigations, most U. T. institutions have concluded that, for the time being, they lack the ability to adopt the alternative means, and thus have a continuing need for the ECRT software. It is not entirely clear how long each institution will require ongoing access to the software, so U. T. System has negotiated with Huron to allow access through calendar year 2023, subject to each institution having the flexibility to terminate its participation earlier, as needed.

While no further license fees are payable under the ECRT Systemwide site license purchased in 2007, U. T. institutions continuing to use the ECRT software will need to purchase ongoing software support and maintenance and related services under the license agreement. The amount projected above in “Funds” represents the maximum fees payable for all services, including hosting, related to ongoing use of the ECRT software by all affected institutions for calendar years 2021 through 2023. Aggregate fees through calendar year 2020 under the license agreement and hosting services agreement total \$6,000,000 and \$2,400,000, respectively.

3. Contract (funds going out) - U. T. System: Amendment to Agreement with Everfi, Inc., to continue providing training courses, including web-based alcohol education and sexual assault prevention services

Agency: Everfi, Inc.

Funds: \$1,917,106

Period: December 17, 2020 through March 31, 2023

Description: Everfi, Inc., provides students, faculty, and staff of U. T. institutions with a variety of training courses, including web-based alcohol education and sexual assault prevention services. 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 added the health institutions, expanded available courses, extended the end date of the Agreement, and was approved by the Board on May 1, 2018. This Second Amendment to the Agreement sets annual payments for services for an additional two years ending March 31, 2023.

4. Contract (funds going out) - U. T. System: IHS Global Inc. to provide oil and gas market information, analytics, software, and data management services

Agency: IHS Global Inc.

Funds: \$4,248,612

Period: November 30, 2020 through November 30, 2027

Description: This Master Agreement supports three separate order forms related to oil and gas market information, analytics, software, and data management services. The supported order forms are:
1) Oil Price Information Service, LLC (OPIS) by IHS Markit;
2) IHS Markit Data/Kingdom; and
3) IHS Market EDM for Energy

5. Request for Budget Change - U. T. System: Transfer \$1,760,000 from Oracle Maintenance Agreement - Unappropriated Balance to Oracle Maintenance Agreement - Operating Expenses to cover costs associated with the Arlington Data Center (RBC No. 11519) -- amendment to the 2020-2021 budget

6. 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 November 30, 2020**

		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	08/31/2020	\$ 3,209,841	\$ 18,956,474	\$ 97,801,285	\$ 472,430,764	\$ 137,270	\$ 221,232	\$ 101,148,396	\$ 491,608,470
Increase or	Decrease	(86)	(1,026)	123,000	(1,271,635)	-	-	122,914	(1,272,661)
Ending Value	11/30/2020	\$ 3,209,755	\$ 18,955,448	\$ 97,924,285	\$ 471,159,129	\$ 137,270	\$ 221,232	\$ 101,271,310	\$ 490,335,809
Other Real Estate:									
Ending Value	08/31/2020	\$ -	\$ -	\$ 6	\$ 6	\$ -	\$ -	\$ 6	\$ 6
Increase or	Decrease	-	-	-	-	-	-	-	-
Ending Value	11/30/2020	\$ -	\$ -	\$ 6	\$ 6	\$ -	\$ -	\$ 6	\$ 6

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.

ACADEMIC AFFAIRS COMMITTEE

7. Contract (funds coming in) - U. T. Arlington: Lockheed Martin Corporation to provide for a College Work Experience Program

Agency: Lockheed Martin Corporation

Funds: The contract has the potential to reach \$5,202,400; initial \$102,400 payment for start-up costs and a billable rate cap of \$1,700,000 per year

Period: October 15, 2020 through October 14, 2021; with option for two additional one-year terms

Description: Collaboration Agreement between U. T. Arlington's Career Development Center and Lockheed Martin Corporation. Students will be hired by the Career Development Center, through the College Work Experience Program, to fill internship positions at Lockheed Martin, primarily in the fields of engineering and business. Lockheed Martin will pay a billable rate to U. T. Arlington for each hour worked by an intern. The billable rate will cover the student's pay and the administrative costs of running the program. Students will receive valuable experience and potentially greater job opportunities after graduation.

8. Foreign Contract (funds coming in) - U. T. Austin: Jimei University to provide students for study abroad at U. T. Austin

Agency: Jimei University

Funds: \$4,500 per student

Period: February 25, 2021 through December 10, 2023

Description: U. T. Austin's Texas Global, the institution's central home for international students and international engagement efforts, will receive students from Jimei University in China for a study abroad program at U. T. Austin.

9. Foreign Contract (funds coming in) - U. T. Austin: Changshu Institute of Technology to provide students for study abroad at U. T. Austin

Agency: Changshu Institute of Technology

Funds: \$4,500 per student

Period: February 25, 2021 through December 10, 2023

Description: U. T. Austin's Texas Global, the institution's central home for international students and international engagement efforts, will receive students from Changshu Institute of Technology in China for a study abroad program at U. T. Austin.

10. Request for Budget Change - U. T. Austin: Transfer \$11,772,880 from Reserve - AUF - Instruction - Allocation for Budget Adjustments and Reserve - AUF - Instruction - Allotment, Unallocated, and Reserve to Project Management and Construction Services (PCMS) - Repair and Renovation R&R - Allocated for Budget for repairs and renovations to buildings tied to planned capital improvement projects and focus on major system replacements including HVAC and electrical systems (RBC No. 11511) -- amendment to the 2020-2021 budget

11. Request for Budget Change - U. T. Austin: New Hires with Tenure -- amendment to the 2020-2021 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					
Department of Accounting					
Associate Professor					
Urooj Khan (T)	1/1-5/31	100	09	270,000	11529
College of Education					
Department of Kinesiology and Health Education and Department of Educational Psychology					
Professor					
Seth Schwartz (T)	1/16-5/31	100	09	165,000	11518
Cockrell School of Engineering					
Department of Aerospace Engineering and Engineering Mechanics					
Professor					
John-Paul Clarke (T)	1/16-5/31	100	09	205,000	11514
College of Liberal Arts					
Department of Government					
Professor					
Daniel Nielson (T)	1/16-5/31	100	09	265,000	11517
College of Natural Sciences					
Department of Computer Science					
Professor					
Kenneth McMillan (T)	1/16-5/31	100	09	230,000	11516
Department of Nutritional Sciences					
Professor					
James Fleet (T)	1/16-5/31	100	09	168,750	11515

12. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Head Football Coach Steve Sarkisian and related Professional Services and License Agreement with to-be-named Limited Liability Company

The following Head Football Coach Employment Agreement and related Professional Services and License Agreement with a to-be-named Limited Liability Company are recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreements are approved, total compensation for the contract period for Steve Sarkisian will be in excess of \$1 million. The Agreements reference the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas at Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:**

Total Annual Salary and Payment to to-be-named LLC:

Contract Year 1: \$5,200,000

Contract Year 2: \$5,400,000

Contract Year 3: \$5,600,000

Contract Year 4: \$5,800,000

Contract Year 5: \$6,000,000

Contract Year 6: \$6,200,000

The University will pay a portion of the guaranteed compensation directly to a to-be-named Limited Liability Company; the amount and timing of such payment shall be agreed upon by Head Football Coach, the LLC, and U. T. Austin and reflect the parties' mutual interests.

Automobile: Two dealer cars

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Private Airplane Use: University to provide 20 hours of private aircraft flight time for personal use each year and unused hours will not carryover

Relocation and Temporary Housing Allowance: \$250,000

Tickets available upon request:

One suite for all home football games

Six tickets to all other home men's sports

Six tickets to all home women's sports

Assumption of Previous Contractual Obligation: U. T. Austin will make a one-time payment to Head Coach's previous employer to satisfy a contractual obligation owed as a result of the voluntary termination of Head Coach's previous employment agreement. U. T. Austin agrees to make Head Coach whole for any tax liability incurred as a result of such payment.

Nonguaranteed compensation:

Special one-time payment of \$1,200,000 on December 31, 2024 upon continued employment

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of \$675,000 annually

National Coach of the Year: \$100,000 annually

Conference Coach of the Year: \$50,000 annually

Source of Funds: Intercollegiate Athletics

Period: January 2, 2021 through December 31, 2026

13. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Offensive Coordinator/Offensive Line Football Coach Kyle Flood

The following Offensive Coordinator/Offensive Line Football Coach Employment Agreement is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Kyle Flood 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:

Contract Year 1: \$1,100,000

Contract Year 2: \$1,175,000

Contract Year 3: \$1,250,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: January 14, 2021 through February 29, 2024

14. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Special Teams Coordinator/Tight Ends Football Coach Jeff Banks

The following Special Teams Coordinator/Tight Ends Football Coach Employment Agreement is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Jeff Banks 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:

Contract Year 1: \$1,000,000

Contract Year 2: \$1,050,000

Contract Year 3: \$1,100,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Assumption of Previous Contractual Obligation: U. T. Austin will make a one-time payment to Special Teams Coordinator/Tight Ends Football Coach's previous employer to satisfy a contractual obligation owed as a result of the voluntary termination of Special Teams Coordinator/Tight Ends Football Coach's previous employment agreement. U. T. Austin agrees to make Special Teams Coordinator/Tight Ends Football Coach whole for any tax liability incurred as a result of such payment.

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: January 14, 2021 through February 29, 2024

15. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Defensive Line Football Coach Bo Davis

The following Defensive Line Football Coach Employment Agreement is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Bo Davis 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:

Contract Year 1: \$875,000

Contract Year 2: \$900,000

Contract Year 3: \$925,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: January 12, 2021 through February 29, 2024

16. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Safeties Football Coach Blake Gideon

The following Safeties Football Coach Employment Agreement is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Blake Gideon 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:

Contract Year 1: \$400,000

Contract Year 2: \$425,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Assumption of Previous Contractual Obligation: U. T. Austin will make a one-time payment to Safeties Football Coach's previous employer to satisfy a contractual obligation owed as a result of the voluntary termination of Safeties Football Coach's previous employment agreement. U. T. Austin agrees to make Safeties Football Coach whole for any tax liability incurred as a result of such payment.

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: January 11, 2021 through February 28, 2023

17. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Pass Game Coordinator/Secondary Football Coach Terry Joseph

The following Pass Game Coordinator/Secondary Football Coach Employment Agreement is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Terry Joseph 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:

Contract Year 1: \$750,000

Contract Year 1: \$800,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Assumption of Previous Contractual Obligation: U. T. Austin will make a one-time payment to Pass Game Coordinator/Secondary Football Coach's previous employer to satisfy a contractual obligation owed as a result of the voluntary termination of Pass Game Coordinator/Secondary Football Coach's previous employment agreement. U. T. Austin agrees to make Pass Game Coordinator/Secondary Football Coach whole for any tax liability incurred as a result of such payment.

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: January 12, 2021 through February 28, 2023

18. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Director of Football Performance/Head Strength Football Coach Torre Becton

The following Director of Football Performance/Head Strength Football Coach Employment Agreement is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Torre Becton 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:

Contract Year 1: \$500,000

Contract Year 2: \$525,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: January 11, 2021 through February 28, 2023

19. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Defensive Coordinator/Outside Linebackers Football Coach Pete Kwiatkowski and related Professional Services and License Agreement with PK Enterprises, LLC

The following Defensive Coordinator/Outside Linebackers Football Coach Employment Agreement and related Professional Services and License Agreement with PK Enterprises, LLC, are recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreements are approved, total compensation for the contract period for Pete Kwiatkowski will be in excess of \$1 million. The Agreements reference the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas at Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:**

Total Annual Salary and Payment to PK Enterprises, LLC:
\$1,700,000 each Contract Year

The University will pay a portion of the guaranteed compensation directly to PK Enterprises, LLC; the amount and timing of such payment shall be agreed upon by Assistant Football Coach, PK Enterprises, LLC, and U. T. Austin and reflect the parties' mutual interests.

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's total annual salary and payment to PK Enterprises, LLC

Source of Funds: Intercollegiate Athletics

Period: January 20, 2021 through February 29, 2024

20. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Co-Defensive Coordinator/Inside Linebackers Football Coach Jeff Choate

The following Co-Defensive Coordinator/Inside Linebackers Football Coach Employment Agreement is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Jeff Choate 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:

Contract Year 1: \$500,000

Contract Year 2: \$575,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Assumption of Previous Contractual Obligation: U. T. Austin will make a one-time payment to Co-Defensive Coordinator/Inside Linebackers Football Coach's previous employer to satisfy a contractual obligation owed as a result of the voluntary termination of Co-Defensive Coordinator/Inside Linebackers Football Coach's previous employment agreement. U. T. Austin agrees to make Co-Defensive Coordinator/Inside Linebackers Football Coach whole for any tax liability incurred as a result of such payment.

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: January 25, 2021 through February 28, 2023

21. Employment Agreement - U. T. Austin: Approval of Restated Employment Agreement for current Wide Receivers Football Coach Andre Coleman

The following Restated Employment Agreement for Wide Receivers Football Coach is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Andre Coleman 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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:
Contract Year 1: \$450,000
Contract Year 2: \$500,000

Reduced Salary Payment: One-time payment to offset previous \$43,750 salary reduction

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:
Team performance incentives: maximum of 19% of that year's annual salary

Note:

U. T. Austin has proposed extending length of Wide Receivers Football Coach employment for an additional two years. The Agreement sets the new salary for Wide Receivers Coach going forward and also proposes a one-time payment to offset a previous temporary reduction in salary. The Agreement also incorporates U. T. Austin's change in the method of calculating performance incentives to be based on a percentage of then applicable annual base salary, rather than a fixed amount.

Source of Funds: Intercollegiate Athletics

Period: February 1, 2021 through February 28, 2023

22. Employment Agreement - U. T. Austin: Approval of Restated Employment Agreement for current Running Game Coordinator/Running Backs Football Coach Stan Drayton

The following Restated Employment Agreement for Running Game Coordinator/Running Backs Football Coach is recommended for approval by the U. T. System Board of Regents by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel. The terms of the Agreement were previously reviewed pursuant to Regents' *Rules and Regulations*, Rule 10501, Section 2.2.12(a). If the Agreement is approved, total compensation for the contract period for Stan Drayton 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 Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. 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: \$650,000

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Note:

U. T. Austin has proposed extending length of Running Game Coordinator/Running Backs Football Coach's employment through February 28, 2023, at current annual salary. The Agreement also incorporates U. T. Austin's change in the method of calculating performance incentives to be based on a percentage of then applicable annual base salary, rather than a fixed amount.

Source of Funds: Intercollegiate Athletics

Period: February 1, 2021 through February 28, 2023

23. Approval of Dual Position of Honor, Trust, or Profit - U. T. Dallas: Appointment by Governor Abbott of Jennifer Johnson, Associate Professor of Instruction, as Board Member of the Texas State Board of Public Accountancy

The following item has been approved by the Executive Vice Chancellor for Academic 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 at Dallas 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: Jennifer Johnson, CPA
 Title: Associate Professor of Instruction
 Position: Board Member of the Texas State Board of Public Accountancy
 Period: February 1, 2021 through January 31, 2027
 Compensation: The State Board offers members a \$100 per day per diem for days conducting Board Business (i.e., meetings) and for any reimbursable expenses (i.e., travel)
 Description: The Texas State Board of Public Accountancy is statutorily empowered to regulate the practice of accountancy in Texas. Members of the Board work together to adopt rules as necessary to govern its proceedings, perform its duties, regulate the practice of accountancy in Texas, and enforce applicable law.

24. Request for Budget Change - U. T. Permian Basin: New Hire with Tenure -- amendment to the 2020-2021 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 Health Sciences and Human Performance Department of Kinesiology Chair and Professor Moran Sciamama-Saghiv (T)	1/25-5/31	100	09	120,000	11532

25. Lease - U. T. Permian Basin: Authorization to lease approximately 2,500 rentable square feet of space known as Suites 1140A, 1140B, 1140C, 1136, and 1140 located in the Mesa Building at 4901 East University, Odessa, Ector County, Texas, to Follett Higher Education Group, Inc., for use as an on-campus bookstore

Description: Lease of approximately 2,500 rentable square feet known as 1140A, 1140B, 1140C, 1136, and 1140 located in the Mesa Building at 4901 East University, Odessa, Ector County, Texas, for use as an on-campus bookstore

Lessee: Follett Higher Education Group, Inc., an Illinois corporation

Term: Commencing November 1, 2020 and continuing for an initial term of seven years and seven months, expiring on May 31, 2028. Lessee shall have three one-year renewal options. Renewal options are subject to written approval from the U. T. Permian Basin. At any time during the term, either party may elect to terminate the Agreement without cause upon not less than 180 days prior written notice. Upon termination or expiration, U. T. Permian Basin shall pay Lessee the unamortized balance for the Capital investment and Cash Contribution.

Lease Income: Consideration to U. T. Permian Basin includes total rent payments estimated at no less than approximately \$568,750 over the initial term and approximately \$225,000 over all renewal terms. In addition to base rent, revenue from Follett includes an annual royalty fee of 18.1% - 20.1% of each year's adjusted gross revenue with a guaranteed annual minimum of \$40,000, a Capital investment of \$50,000 at the start of year two, a cash contribution of \$25,000, an annual textbook scholarship of \$2,500, and \$5,000 in annual advertising and promotions.

Secretary's Note: The commencement date cited in the Agenda materials as November 20, 2020 has been corrected above to reflect the correct date on the agreement of November 1, 2020.

26. Request for Budget Change - U. T. San Antonio: Transfer \$12,494,900 from Mandatory Fees, Statutory Tuition Revenue, Designated Tuition Revenue, and Differential Tuition to Academic Support, Student Services, Auxiliary, Student Financial Aid Set Asides, and Instruction to recognize additional revenue (RBC No. 11528) -- amendment to the 2020-2021 budget

The following Request for Budget Change 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	\$ Amount	RBC #
Account or Project		
Amount of Transfer:		11528
From: Mandatory Fee	\$8,400,000	
Statutory Tuition Revenue	\$699,700	
Designated Tuition Revenue	\$2,515,600	
Differential Tuition	\$879,600	
To: Academic Support	\$6,072,000	
Student Services	\$924,000	
Auxiliary	\$1,404,000	
Student Financial Aid Set Asides	\$3,215,300	
Instruction	\$879,600	

27. Employment Agreement - U. T. San Antonio: Approval of amendments to terms of Employment Agreement for current Head Football Coach Jeffrey Michael Traylor

The following Head Football Coach Amendment No. 2 has been approved by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel and is recommended for approval by the U. T. System Board of Regents. If the Amendment is approved, total compensation for the contract period for Jeffrey Michael Traylor will be in excess of \$1 million. Such employment under the Agreement, as amended by Amendment No. 2, is subject to the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas at San Antonio is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at San Antonio. Any 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:

January 1, 2021 through December 31, 2021: \$630,000

January 1, 2022 through December 31, 2022: \$661,500

January 1, 2023 through December 31, 2023: \$694,575

January 1, 2024 through December 31, 2024: \$729,304

To: **Guaranteed compensation:**

Annual Salary:

January 1, 2021 through December 31, 2024: No change

January 1, 2025 through December 31, 2025: \$729,304

Source of Funds: Intercollegiate Athletics

Period: January 8, 2021 through December 31, 2025

HEALTH AFFAIRS COMMITTEE

28. Gift - U. T. Tyler: Authorization of expenditure by the Health Science Center at U. T. Tyler of a gift of \$26,659.57 for purchase of urology equipment at Jacksonville Hospital, LLC, dba U. T. Health Jacksonville; and finding of public purpose

Description:	Approval is needed to authorize expenditure of a donated gift of \$26,659.57 for urology equipment for Jacksonville Hospital, LLC, dba U. T. Health Jacksonville. This hospital is part of the East Texas Health System, LLC, owned jointly by U. T. Health Science Center - Tyler (30%), and Ardent Health (70%), a private entity, and governed 50% and 50% by both entities.
Donor:	Nan Travis Foundation
Value:	\$26,659.57
Finding of Public Purpose:	<p>The Health Science Center at U. T. Tyler has determined that the expenditure of the gift of \$26,659.57 for purchase of urology equipment in a hospital owned by the East Texas Health System, LLC, supports the public mission of and serves a public purpose appropriate to the functions of the Health Science Center at U. T. Tyler. In authorizing the formation of the East Texas Health System, LLC, with Ardent Health on February 15, 2018, the Board of Regents found that U. T. Health Science Center - Tyler's participation in the LLC would strengthen academic and educational programs for students, residents, and other trainees; would enhance basic and clinical research capabilities; would allow for integration of community and public health initiatives; and would expand patient care services, improve health outcomes, and extend the reach of U. T. Health Science Center - Tyler in the community. That expansion was made possible in part by the transfer to the LLC of nine hospitals previously owned by Ardent Healthcare, one of which is now Jacksonville Hospital, LLC, dba U. T. Health Jacksonville. Accordingly, enhancements to that hospital will enhance the ability of the Health Science Center at U. T. Tyler personnel working at the facility to provide patient care services, leading to improved health outcomes. The Health Science Center at U. T. Tyler has also determined that those enhancements provide adequate consideration and benefits to the institution.</p> <p>Finally, the Health Science Center at U. T. Tyler has also determined that, as the governance structure is set at 50% Ardent and 50% U. T. Health Science Center - Tyler, there are adequate safeguards in place to ensure the public purposes noted above will continue to be met on an ongoing basis.</p>

29. Contract (funds coming in and going out) - U. T. Southwestern Medical Center: Sodexo Services of Texas Limited Partnership to provide operation and management of food services on campus, excluding hospital facilities

Agency: Sodexo Services of Texas Limited Partnership

Funds: Estimated funds going out are \$28,000,000 and funds coming in are \$45,000,000

Period: January 4, 2021 through August 31, 2028; will automatically renew two additional two-year terms

Description: Sodexo Services of Texas to provide operation and management of food services on U. T. Southwestern Medical Center campus, excluding hospitals.

30. Lease - U. T. Southwestern Medical Center: Authorization to lease approximately 16,545 square feet in Data Hall 2.3 located at 6431 Longhorn Drive, Irving, Dallas County, Texas, from Quality Investment Properties Irving, LLC, for use as the institution's primary data processing center

Description: Lease of approximately 16,545 square feet. The space is composed of approximately 12,906 square feet of raised floor space, which includes approximately 1,000 square feet of tape storage and burn-in space, plus approximately 2,127 square feet of office space and approximately 1,512 square feet of storage space, located at 6431 Longhorn Drive, Irving, Dallas County, Texas, for use as the institution's primary data processing center. The lease has one option to lease an additional 3,894 square feet in an adjacent space.

Lessor: Quality Investment Properties Irving, LLC, a Delaware limited liability company

Term: 10 years with two five-year renewal and two one-year renewal options and an option to cancel the lease at the end of seven years by paying a termination fee.

Lease Cost: An estimated \$18,552,303.50 in base rent, estimated operating expenses and other expenses, during the primary term of the lease, which includes an initial fit-out cost of approximately \$1,483,055.44 to be paid by the institution. The institution will also pay for electricity used during the Early Access Period when the institution installs its furniture, equipment, and cabling in the space.

31. Other Matters - U. T. Southwestern Medical Center: Approval to set differential tuition rate for Master of Science in Health Informatics

In Fall 2021, U. T. Southwestern Medical Center will begin offering a 36 semester credit hours in-person Master of Science (M.S.) in Health Informatics graduate program. The program is designed to bring learners with either a computer, data science, or Information Technology (IT) background together with learners from clinical disciplines to develop skills in both domains. Acquisition of these skills will enable program graduates to effect and improve access to care, patient outcomes, safety measures, costs, individual and population health in their organizations. By including the spectrum of students from IT professional to clinicians, the program will create a workforce that fits the spectrum of needs identified in the space and will address both IT-focused and clinical informatics-focused problems.

Tuition and fees are the primary funding sources for this program. Unlike the doctoral programs in the Graduate School of Biomedical Sciences, the Master of Science in Health Informatics will not be integrally associated with research expenditures and extramural research funding. It is an applied degree. Teaching by some of the course faculty would displace their clinical duties with concomitant requirement for clinical productivity; differential tuition will offset some of the clinical revenue these faculty would otherwise be generating. Costs for the other graduate programs in the Graduate School are partially supported by extramural research funds. Extramural funds are not available to cover this program. The proposed differential tuition will provide adequate resources for long-term sustentation and continuous quality improvement of the Health Informatics program.

Texas Education Code 54.0513 and 54.008 gives the authority to set tuition differentially among programs and levels to the U. T. Board of Regents. Accordingly, U. T. Southwestern Medical Center seeks approval for the proposed tuition and fee plan for the M.S. in Health Informatics. The tuition and fee proposal for this program for the 2021-2022 Academic Year is outlined below. Note that the Student Services Fee, Medical Service Fee, and Computer Use Fee are existing approved fees.

Table 1: Proposed resident tuition/ fee schedule for M.S. Health Informatics graduate program
M.S. Health Informatics: 36 credits

Semester Credit Hour	Statutory Tuition	Differential Tuition	Designated Tuition	Student Services	Medical Service Fee	Computer Use Fee
1	\$ 50	\$ 344	\$ 219	\$ 42	\$ 75	\$ 82
2	\$ 100	\$ 688	\$ 438	\$ 84	\$ 75	\$ 82
3	\$ 150	\$ 1,032	\$ 657	\$ 126	\$ 75	\$ 82
4	\$ 200	\$ 1,376	\$ 876	\$ 168	\$ 75	\$ 82
5	\$ 250	\$ 1,720	\$ 1,095	\$ 210	\$ 75	\$ 82
6	\$ 300	\$ 2,064	\$ 1,314	\$ 252	\$ 75	\$ 82
7	\$ 350	\$ 2,408	\$ 1,533	\$ 294	\$ 75	\$ 82
8	\$ 400	\$ 2,752	\$ 1,752	\$ 336	\$ 75	\$ 82
9	\$ 450	\$ 3,096	\$ 1,971	\$ 378	\$ 75	\$ 82
10	\$ 500	\$ 3,440	\$ 2,190	\$ 420	\$ 75	\$ 82
11	\$ 550	\$ 3,784	\$ 2,409	\$ 462	\$ 75	\$ 82
12	\$ 600	\$ 4,128	\$ 2,628	\$ 504	\$ 75	\$ 82
13	\$ 650	\$ 4,472	\$ 2,847	\$ 546	\$ 75	\$ 82
14	\$ 700	\$ 4,816	\$ 3,066	\$ 588	\$ 75	\$ 82
15	\$ 750	\$ 5,160	\$ 3,285	\$ 630	\$ 75	\$ 82

32. Contract (funds going out) - U. T. Medical Branch - Galveston: Smith & Nephew, Inc., to provide various categories of medical products

Agency: Smith & Nephew, Inc.

Funds: \$30,000,000

Period: October 23, 2020 through October 22, 2027

Description: Smith & Nephew, Inc., is an awarded supplier in many categories of products used at U. T. Medical Branch - Galveston (UTMB). UTMB is in need of a standard set of terms and conditions that can be used for categories awarded and standardized to UTMB. Therefore, a seven-year, \$30,000,000 agreement with Smith & Nephew, Inc., was established to provide general terms and conditions under which UTMB and Smith & Nephew, Inc., will enter into one or more individual contract supplements for the purchase of products. Supplement agreements will be linked to this contract for products to be used by UTMB. This Agreement has no specific products or services. Having this contract in place will create efficiency as the terms and conditions will not need to be negotiated for each supplement. Products purchased using an individual contract supplement to this Agreement will be competitively procured.

33. Contract (funds going out) - U. T. Medical Branch - Galveston: Sodexo Services of Texas Limited Partnership to provide food and nutrition services at clinical facilities

Agency: Sodexo Services of Texas Limited Partnership

Funds: \$102,225,368

Period: December 24, 2020 through December 23, 2025; with two 12-month renewal options

Description: Sodexo Services of Texas Limited Partnership to provide food and nutrition services to U. T. Medical Branch - Galveston. This Agreement was sourced via a U. T. Southwestern Medical Center Agreement through a Request for Proposal process.

34. Contract (funds coming in) - U. T. Health Science Center - Houston: To provide oral and maxillofacial surgery services to the Harris County Hospital District, dba Harris Health System

Agency: Harris County Hospital District, dba Harris Health System

Funds: \$7,117,588 for initial term, plus up to \$483,500 if performance metrics are met, for a total of \$7,601,088

Period: December 1, 2020 through June 30, 2022; thereafter, automatically renews for additional terms of two years each, unless terminated sooner between the parties by providing written notice.

Description: Provision of oral and maxillofacial surgery and orthodontic professional services to patients eligible for treatment at Harris Health System facilities and education and training of oral and maxillofacial residents.

35. Contract (funds coming in) - U. T. Health Science Center - Houston: To operate an in-district PK3-G1 charter school in Victoria Independent School District

Agency: Victoria Independent School District

Funds: Estimated \$1,250,000 per year (based on 61/39 split of per-student funding with 39% to U. T. Health Science Center - Houston)

Period: November 2020 through June 30, 2024

Description: Agreement for U. T. Health Science Center - Houston, through its Children's Learning Institute, to operate an in-district, pre-kindergarten 3 through first grade, charter school in Victoria Independent School District. Victoria ISD will hold the charter through the Texas Education Association. The Children's Learning Institute will provide management personnel and instructional program.

Although Board approval of this type of contract is delegated to the institutional president by Regents' Rule 10501, Board approval is sought due to the uniqueness of the proposal.

36. Contract (funds coming in) - U. T. Health Science Center - San Antonio: To provide physician medical, administrative support, non-emergency, and emergency services for Bexar County Hospital District, dba University Health System

Agency: Bexar County Hospital District, dba University Health System

Funds: Approximately \$153,673,019

Period: September 1, 2020 through August 30, 2021

Description: Master Health Care Services Agreement between U. T. Health Science Center - San Antonio and Bexar County Hospital District, dba University Health System.

This Agreement continues a long-standing arrangement between U. T. Health Science Center - San Antonio and University Health System under which U. T. Health Science Center - San Antonio provides physician medical, administrative support, non-emergency, and emergency services for University Health System.

U. T. Health Science Center - San Antonio bills and collects for all professional services supplied by its providers.

37. Contract (funds coming in) - U. T. M. D. Anderson Cancer Center: To provide consulting services to Concord Hospital Management Group, Ltd. (Deferred)

Agency: Concord Hospital Management Group, Ltd.

Funds: Base fee of \$14,640,000 plus reimbursable expenses, currently estimated to be \$3,500,000

Period: Effective December 14, 2020 for a period of 10 years

Description: U. T. M. D. Anderson Cancer Center to provide advisory and consulting services with respect to the development and enhancement of Concord Hospital Management Group, Ltd., and its affiliates' cancer care programs, currently located in Shanghai, China, and such other sites as may be added by amendment. Advisory services will include: clinical practice program development, cancer center program development, medical direction, physician education and staff education, cancer program assessment, and strategic and business support.

38. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Nordic Consulting, LLC, to deliver information technology services

Agency: Nordic Consulting, LLC

Funds: Total cost of services under this Agreement, including all renewals, will not exceed \$46,800,000

Period: December 15, 2020 through December 14, 2025; with three one-year renewal options

Description: Nordic Consulting, LLC, through this Master Services Agreement, will offer resources consisting of trained and experienced personnel to provide project-based support to U. T. M. D. Anderson Cancer Center's Information Services division in the Enterprise Business Systems (EBS) work area. Other areas include Analytics, Project Manager/Business Analyst, and Managed Services. Implementation support will also be provided to support U. T. M. D. Anderson Cancer Center's project implementation activities and initiatives. The Agreement was competitively bid.

39. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: First Amendment to Agreement with JB York Construction, Incorporated, to provide job order contracting services for maintenance, repair and related services in the Houston area

Agency: JB York Construction, Incorporated

Funds: Total contract value, including all renewals, is estimated to be \$10,500,000, although the maximum amount is indeterminable at this time

Period: September 15, 2020 through September 14, 2021; with two additional 12-month renewal options remaining

Description: JB York Construction, Incorporated, will act as a general contractor to provide general and specific maintenance, repair, minor facility refresh, and related services for projects on a per-project basis via the initial master job order contract, effective September 17, 2018, to September 16, 2020. JB York Construction, Incorporated, will provide all material, labor, equipment, and services necessary for completion of the project. Services are on a nonexclusive, indefinite quantity basis, and there is no minimum amount of work required.

The First Amendment, effective September 15, 2020, extends the term to September 14, 2021. There are two additional 12-month renewal options remaining. The initial Agreement was competitively bid. The initial Agreement did not require Board approval as the anticipated contract value was within the institution's delegated approval threshold. The total contract value, including all remaining renewals, is estimated to be \$10,500,000.

40. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: First Amendment to Agreement with Perkins + Will to provide architectural services

Agency: Perkins + Will

Funds: Total contract value is estimated to be \$5,400,000, although the maximum amount is indeterminable at this time

Period: January 1, 2019 through January 5, 2022; with no renewal options remaining

Description: A job order contracting agreement. Perkins + Will will act as a general contractor to provide architectural and related technical services for projects on a per-project basis requested by U. T. M. D. Anderson Cancer Center. Perkins + Will will provide architecture for the renovation, alteration, repair, or maintenance of health care and related administrative office facilities and their infrastructure systems or portions thereof. Services are on a nonexclusive, indefinite quantity basis, and there is no minimum amount of work required. The initial term of the Agreement was January 6, 2017 through January 5, 2019.

The First Amendment extends the initial term to January 5, 2022, using all renewals. The initial Agreement was competitively bid. The initial Agreement did not require Board approval as the anticipated contract value was within the institution's delegated approval threshold. The total contract value is estimated to be \$5,400,000.

41. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Fifth Amendment to Agreement with Ernst & Young LLP to provide proprietary information protection to all U. T. M. D. Anderson campuses and new locations

Agency: Ernst & Young LLP

Funds: Total value of the services under the Agreement is approximately \$9,000,000

Period: February 15, 2021 through February 1, 2023

Description: Ernst & Young LLP has a program that will integrate U. T. M. D. Anderson Cancer Center's wide range of efforts and processes into a streamlined, proactive effort to mitigate insider threat activity across defined domains. Ernst & Young LLP will use a phased approach to assess, design, build, implement, and operationalize the program, leveraging a variety of nontechnical and technical controls and methods to identify and mitigate insider threats. The initial Agreement, effective from January 31, 2018, to February 1, 2023, has no renewal options and was competitively bid. The First Amendment and Second Amendment, effective September 7, 2018, and March 4, 2020, respectively, added additional Scopes of Work and did not change the cap amount or the contract term. The Third Amendment increased the cap amount to \$4,700,000 and the Fourth Amendment increased the cap amount to \$5,000,000 and were effective May 8, 2020, and September 28, 2020, respectively. The Fourth Amendment also added an additional Scope of Work. Neither the Third nor Fourth Amendment required Board approval as the respective cap amounts were within the institution's delegated approval threshold. The Fifth Amendment, effective November 2, 2020, increases the cap amount to \$9,000,000 and does not change the contract term. U. T. M. D. Anderson Cancer Center plans to rebid this contract at the end of its term.

42. Purchase - U. T. M. D. Anderson Cancer Center: Authorization to purchase two tracts of unimproved land totaling approximately 31.8 acres located at the intersection of Interstate Highway 69 frontage road and University Boulevard, and Lexington Boulevard and Aberfeldy Street, Sugar Land, Fort Bend County, Texas, from NNP-Telfair, LLC, for future mission use, including the development and operation of clinical facilities

Description: Purchase of two tracts of unimproved land consisting of approximately 31.8 acres located at the intersection of the Interstate Highway 69 (also known as U.S. Highway 59) frontage road and Taborwood Avenue, Sugar Land, Fort Bend County, Texas (the Property), 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 future mission use including the future development and operation of clinical facilities.

This acquisition complements approximately 8.7 acres of vacant land purchased in 2017 located across Taborwood Avenue from the Property.

U. T. M. D. Anderson Cancer Center currently leases existing space for clinical use in Sugar Land through August 2024. The institution anticipates that it will, in the future, develop facilities on the Property to augment or replace such leased facilities.

Seller: NNP-Telfair, LLC, a Texas limited liability company

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

43. **Sale - U. T. M. D. Anderson Cancer Center and U. T. Health Science Center - Houston: Authorization to sell to Texas Medical Center three tracts of land held on behalf of U. T. M. D. Anderson Cancer Center for use in connection with the proposed TMC3 research park, one site consisting of approximately 15,560 square feet of land, a second site consisting of approximately 1,257 square feet of land for access to the TMC3 research park, and a third site consisting of approximately 4,563 square feet of land for access to the TMC3 research park with the retention of an access easement in favor of the Board of Regents for this third site and, also, authorization for the Board of Regents on behalf of both institutions to acquire a surface easement consisting of approximately 9,953 square feet from Texas Medical Center for a skybridge to permit the connection of proposed future research buildings to be built by U. T. M. D. Anderson Cancer Center and/or U. T. Health Science Center - Houston located South of Old Spanish Trail to the TMC3 research park**

Description: These four transactions are proposed to enhance TMC3 by expanding the area of the project with the sale of approximately 15,560 square feet adjacent to TMC3 owned by the Board of Regents, but not needed for mission purposes due to small size and constrained location. The sale of approximately 1,257 square feet and 4,563 square feet will permit the completion of construction of two drives to access TMC3 from Bertner Street. TMC may elect not to buy the 1,257 square foot tract of land. The Board of Regents will retain an access easement across the 4,563 square feet to permit access to Bertner Street from an approximate 2.89-acre tract owned by the Board of Regents that is adjacent to the 4,563 square feet that is to be conveyed. The two U. T. institutions plan to build one or more future research buildings on the south side of Old Spanish Trail on land owned by the Board of Regents known as the South Campus. The approximately 9,953 square feet of skybridge easement is being acquired to permit the construction of a skybridge to connect the planned future research buildings that may be constructed on the South Campus with the TMC3 main campus. The skybridge will be constructed at U. T. expense.

Buyer/Granter: Texas Medical Center, a Texas non-profit corporation (TMC)

Cost: Both U. T. and TMC have agreed on a base fee simple value of \$230 per square foot for the tracts involved in this exchange. The surface and aerial skybridge easement is valued at 90% of fee simple value, or \$207 per square foot. The estimated value for the three tracts to be acquired by TMC is \$4,917,400 and the estimated value of the easement to be exchanged with U. T. is \$2,060,271 for a total transactional value of an estimated \$6,977,671. TMC will pay the difference in value at Closing, estimated at \$2,857,129 if it acquires all of the tracts.

Appraisals:

Reliance was placed on the following appraisals: \$230 per square foot for fee simple value of the constrained tract per appraisal dated effective December 9, 2020, performed by JLL Valuation & Advisory Services, LLC.; Skybridge easement estate is valued at \$207 per square foot per appraisal dated effective December 10, 2020, performed by JLL Valuation & Advisory Services, LLC.; In addition, U. T. M. D. Anderson obtained the following recent appraisals covering some of the tracts: \$215 per square foot for the fee simple value of the constrained tract, and \$250 per square foot for fee simple value for the parent tract of the driveway parcels, per appraisal dated effective December 16, 2019, performed by Colliers International Valuation and Advisory Services.

FACILITIES PLANNING AND CONSTRUCTION COMMITTEE

No items for Consent Agenda