



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

May 8-9, 2024
Austin, Texas

Wednesday, May 8, 2024

Page

COMMITTEE MEETINGS

1:00 p.m. - 3:15 p.m.

CONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEM
AND TO RECESS TO EXECUTIVE SESSION

3:15 p.m.

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

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

3:30 p.m.
approximately

1. Individual Personnel Matters Relating to Officers or Employees – Section 551.074

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

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

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

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

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

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

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

4. Deliberation Regarding Security Devices or Security Audits – Sections 551.076 and 551.089

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

Wednesday, May 8, 2024 (cont.)

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RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS 4:45 p.m.

RECESS 5:00 p.m.

Thursday, May 9, 2024

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS 9:00 a.m.

STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD 9:05 a.m.

- 2. **U. T. System Board of Regents: Approval of Consent Agenda and consideration of any item referred to the full Board** 7
- 3. **U. T. System: Annual Meeting with Officers of the U. T. System Student Advisory Council** 8
- 4. **U. T. System: Update on the U. T. System Historically Underutilized Business (HUB) program** 11
- 5. **U. T. System Board of Regents: Presentation of Certificate of Appreciation to Student Regent John Michael Austin** 22

RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551 10:00 a.m.

- 1. Individual Personnel Matters Relating to Officers or Employees – Section 551.074
 - a. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions including interim presidents); U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U. T. System and institutional employees**
 - b. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to assignment and duties of the Chancellor, including responsibilities associated with the admissions procedures set forth in Regents' *Rules and Regulations*, Rule 40303**
 - c. **U. T. Tyler: Discussion and appropriate action regarding presidential search, including the appointment of Dr. Julie V. Philley as President**

Thursday, May 9, 2024 (cont.)

2. Negotiated Contracts for Prospective Gifts or Donations – Section 551.073
 - a. **U. T. System Academic Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features**
 - b. **U. T. System Health Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features**
3. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071
 - a. **U. T. System Board of Regents: Discussion with Counsel on pending legal issues**
 - b. **U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U. T. System**
 - c. **U. T. Austin: Discussion and appropriate action regarding legal issues associated with ground lease of approximately 6.5 acres of unimproved land located at 1900 Comal Street, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation, who will enter into a development contract with a private developer, for a mixed-use development including over 576 beds of graduate student housing; resolution regarding parity debt; and related finding of public purpose**
 - d. **U. T. Austin: Discussion and appropriate action related to legal issues associated with a proposed State Agency Advance Funding Agreement with the Texas Department of Transportation related to the partial design package and associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35, between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and related agreements; and finding of public purpose**
 - e. **U. T. Austin: Discussion and appropriate action regarding legal issues associated with sublease of approximately 9,000 square feet of office space located at Innovation Tower, 1300 Red River Street, Austin, Texas 78701, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation; and finding of public purpose**
4. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072
 - a. **U. T. Austin: Discussion and appropriate action to lease approximately 6.5 acres of land located at 1900 Comal Street, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation, who will enter into a development contract with a private developer, for a mixed-use development including over 576 beds of graduate student housing; resolution regarding parity debt; and finding of public purpose**

Thursday, May 9, 2024 (cont.)

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- b. U. T. Austin: Discussion and appropriate action related to real property matters associated with a proposed State Agency Advance Funding Agreement with the Texas Department of Transportation related to the partial design package and associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35, between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and related agreements; and finding of public purpose**
- c. U. T. Austin: Discussion and appropriate action regarding sublease of approximately 9,000 square feet of office space located at Innovation Tower, 1300 Red River Street, Austin, Texas 78701, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation; and finding of public purpose**

- 5. Deliberation Regarding Security Devices or Security Audits – Sections 551.076 and 551.089

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

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

*11:45 a.m.
approximately*

- 6. U. T. Austin: Discussion and appropriate action related to a proposed State Agency Advance Funding Agreement with the Texas Department of Transportation related to the partial design package and associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35 between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and related agreements; and finding of public purpose**
- 7. U. T. Tyler: Discussion and appropriate action regarding the appointment of Dr. Julie V. Philley as President**

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ADJOURN

*12:00 p.m.
approximately*

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

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

RECOMMENDATION

The Board will be asked to approve the Consent Agenda beginning on [Page 150](#).

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

INTRODUCTION

The U. T. System Student Advisory Council will provide an update to the Board of Regents on issues and priorities worked throughout the year. The Council's recommendations are set forth on the following pages.

BACKGROUND INFORMATION

The U. T. System Student Advisory Council was established in 1989 to provide input to the U. T. System Board of Regents working through and with the Chancellor and U. T. System Administration on issues of student concern. The operating guidelines of the Council require that recommendations have a multi-institutional focus and that the Council explore individual campus issues with institutional administrators prior to any consideration thereof. The Student Advisory Council consists of two student representatives from each U. T. System institution in addition to three elected officers and meets three times a year in Austin.

Council officers are:

Chair: Ms. Jasmin Paquet-Durand Ford, U. T. San Antonio, Economics

Vice Chair: Mr. Brandon Lippert, U. T. Permian Basin, Music Education

Secretary: Ms. Kruthi Kanduri, U. T. Dallas, Cognitive Science

Undergraduate Committee: Mr. Zachary Nepote, U. T. San Anontio, Economics

Graduate Committee: Ms. Olivia Mackey, U. T. Rio Grande Valley, Podiatric Medicine

Review of the 2023-2024 SAC

During the 2023-2024 academic year, the Student Advisory Council (SAC) of the U. T. System successfully executed its mandate to collect and share student feedback. The council held three meetings throughout the Academic Year, which provided a structured platform for in-depth discussions on various issues impacting students, segmented into specific sessions for Undergraduate and Graduate Committees. Throughout these meetings, the SAC identified three pivotal themes: Professional Development, Health & Well-Being, and Affordability. These themes became the focal point of discussions and initiatives for the year.

A significant portion of our efforts this year included engaging in informal conversations with influential people, allowing the council to gain deeper insights into the issues at hand and to engage in a more dynamic exchange of ideas. The SAC’s work this year has not only involved addressing immediate concerns but also building upon the initiatives and foundations laid by previous representatives. This continuity ensures that the critical topics remain in focus and are progressively addressed over time. Several discussions and projects initiated this year are expected to carry forward. Currently, the SAC remains actively engaged in ongoing dialogues and is working closely with system and institutional officers to ensure that the deliberations and recommendations are translated into effective actions and policies.

Topic	Outcome
Professional Development	
Micro-credentials & Professional Certifications	<p>Consulted with Dr. Kelvin Bentley, Program Manager for Texas Credentials for the Future, on the current rollout and implementation of Texas Credentials for the Future.</p> <p>Discussed best practices and provided feedback on student-centered strategies to make relevant industry credentials more accessible and relevant to students.</p> <p>Shared information among student leaders across the U. T. System.</p>
Interprofessional Education (IPE)	<p>Discussed the importance of expanding IPE opportunities across the health and graduate institutions.</p> <p>Consulted with faculty from institutions that excel in offering IPE to identify strategies to expand.</p>
Health & Well-being	
Student Housing	<p>Consulted with U. T. System Assistant Vice Chancellor of Capital Projects, Stephen Harris, to provide clarity on student housing projects and funding mechanisms.</p> <p>Provided feedback to U. T. System Associate Vice Chancellor of Academic Affairs, Dr. Tracey Ford, who then shared this perspective with the appropriate institutional leaders.</p> <p>Discussed best practices and broad strategies to improve housing across campuses. This feedback was centered on student health and well-being.</p>

International Student Support	Provided feedback to U. T. System Office of Academic Affairs and institutions on the unique challenges and experiences of international students. This conversation centered on how to connect them with resources and ensure career-readiness post-graduation.
Student Accommodations and Accessibility	<p>Conducted research on student accessibility and accommodations across institutions.</p> <p>Examined best practices and shared information with student leaders across the U. T. System.</p> <p>Discussed the importance of maintaining a public-facing reporting mechanism and regular compliance reports, which should be made easily accessible to all students, faculty, and staff.</p>
Graduate Student Health Insurance	Consulted with U. T. System Office of Employee Benefits staff on strategies to improve student engagement with U. T. System's Student Health Insurance Plan. Suggested strategies include the establishment of a point of contact at each institution and increased touchpoints to ensure students are aware of their resources.
SB-17 and SB-18	Discussed and received clarity from U. T. System executive leadership on the implementation and impact of recent legislation. Students were educated and provided feedback regarding the student perspective.
Affordability	
Cost of Living Adjustment	<p>Discussed challenges around increasing cost of attendance, and potential gaps in institutional Cost of Living Adjustment (COLA) mechanisms. Explored the value of implementing a real-time student survey to identify and address gaps in the current COLA calculator.</p> <p>Shared information among student leaders across the U. T. System.</p>

4. **U. T. System: Update on the U. T. System Historically Underutilized Business (HUB) program**

Mr. Hopeton Hay, Executive Director, HUB Programs, will report on Systemwide HUB expenditures for Fiscal Year 2023, the highlights of which are set forth in the PowerPoint on the following pages.

Fiscal Year 2023 HUB Program Update

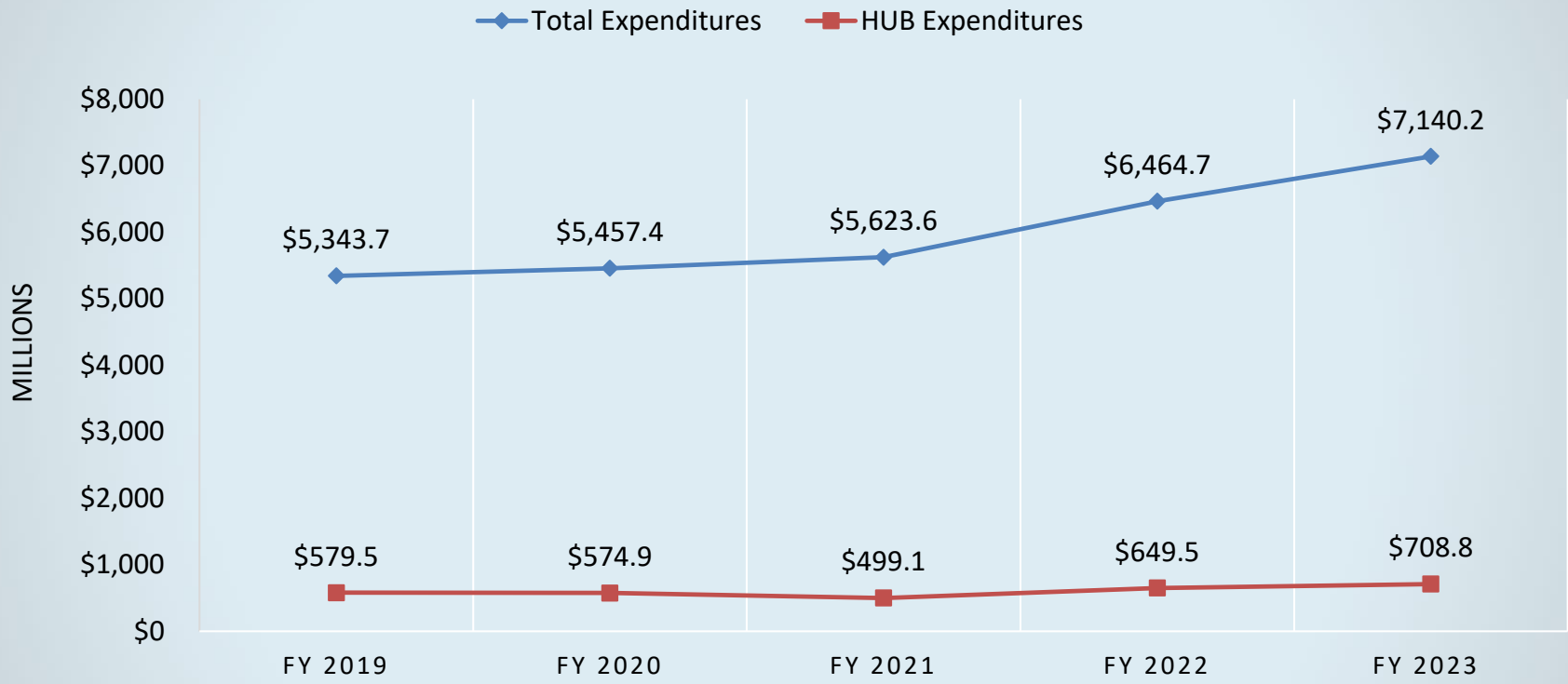
Hopeton Hay
Executive Director, HUB Office

U. T. System Board of Regents Meeting
May 2024

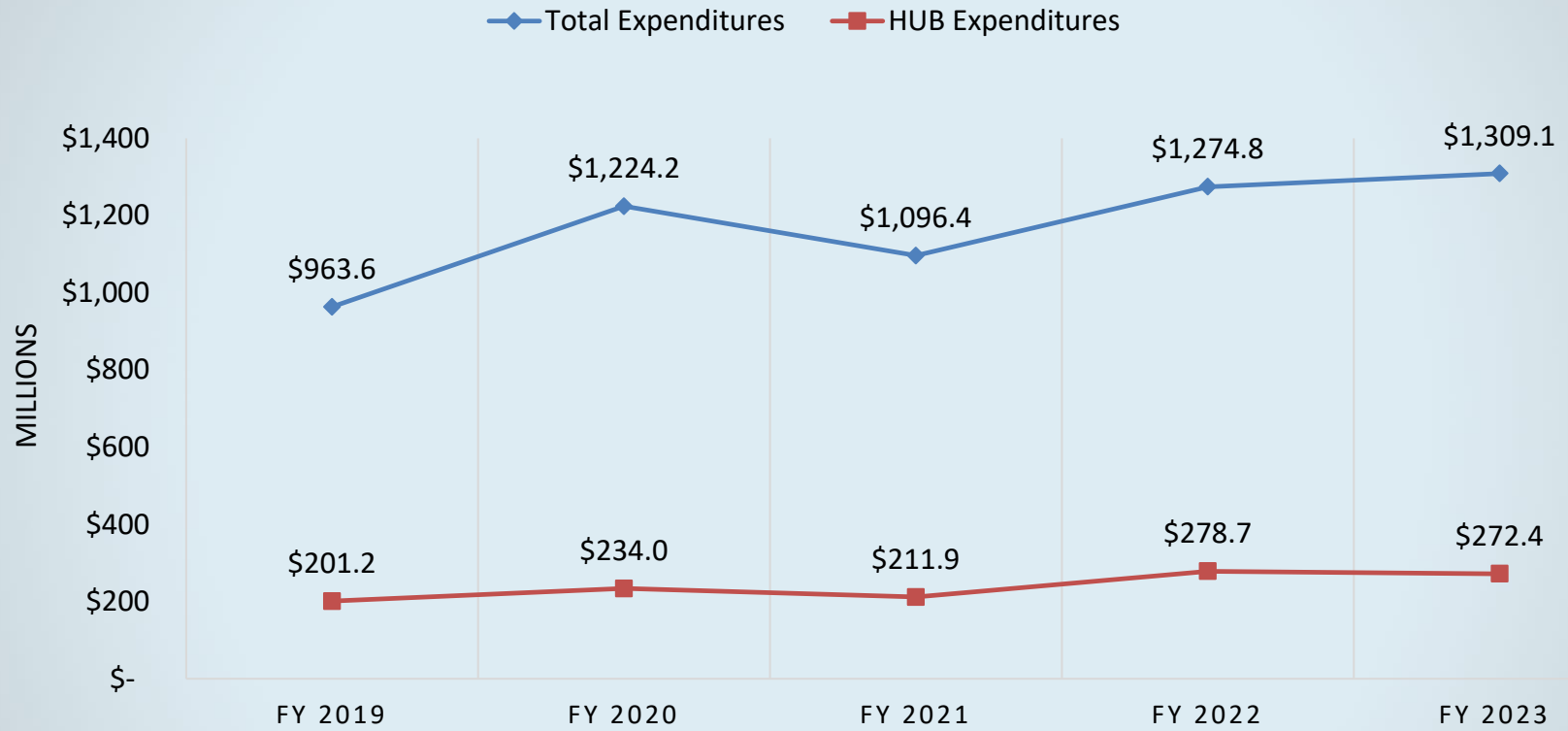


The University of
Texas System

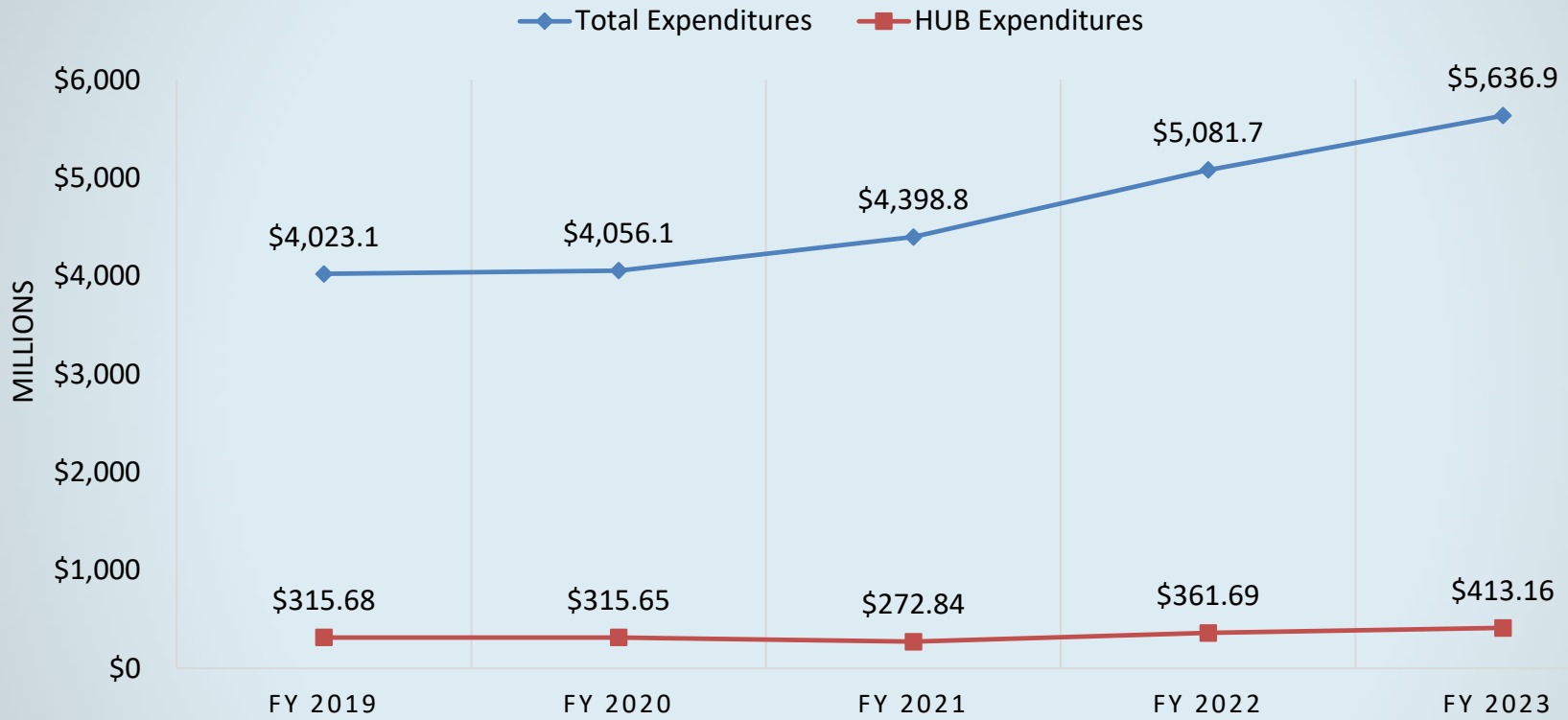
U. T. Systemwide HUB Expenditures



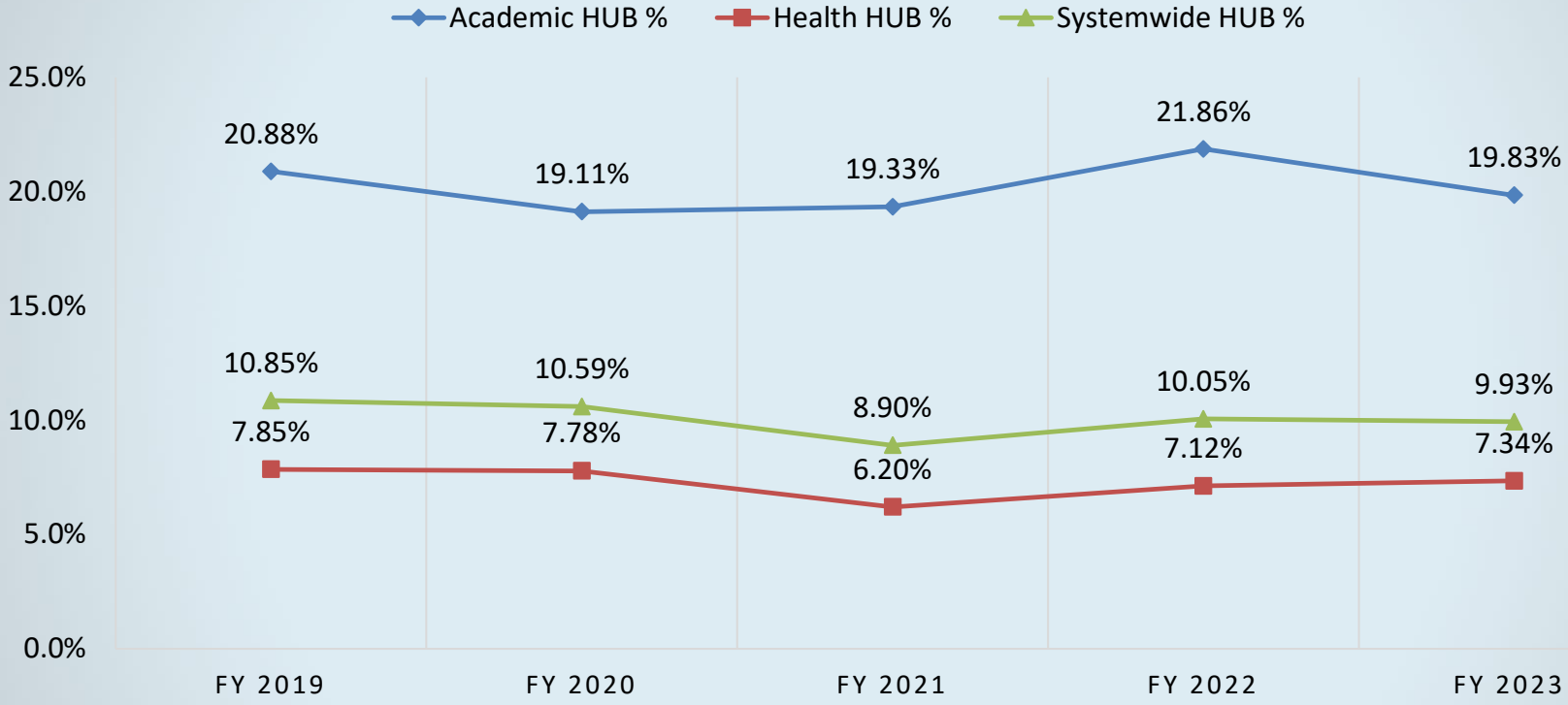
Academic Institutions



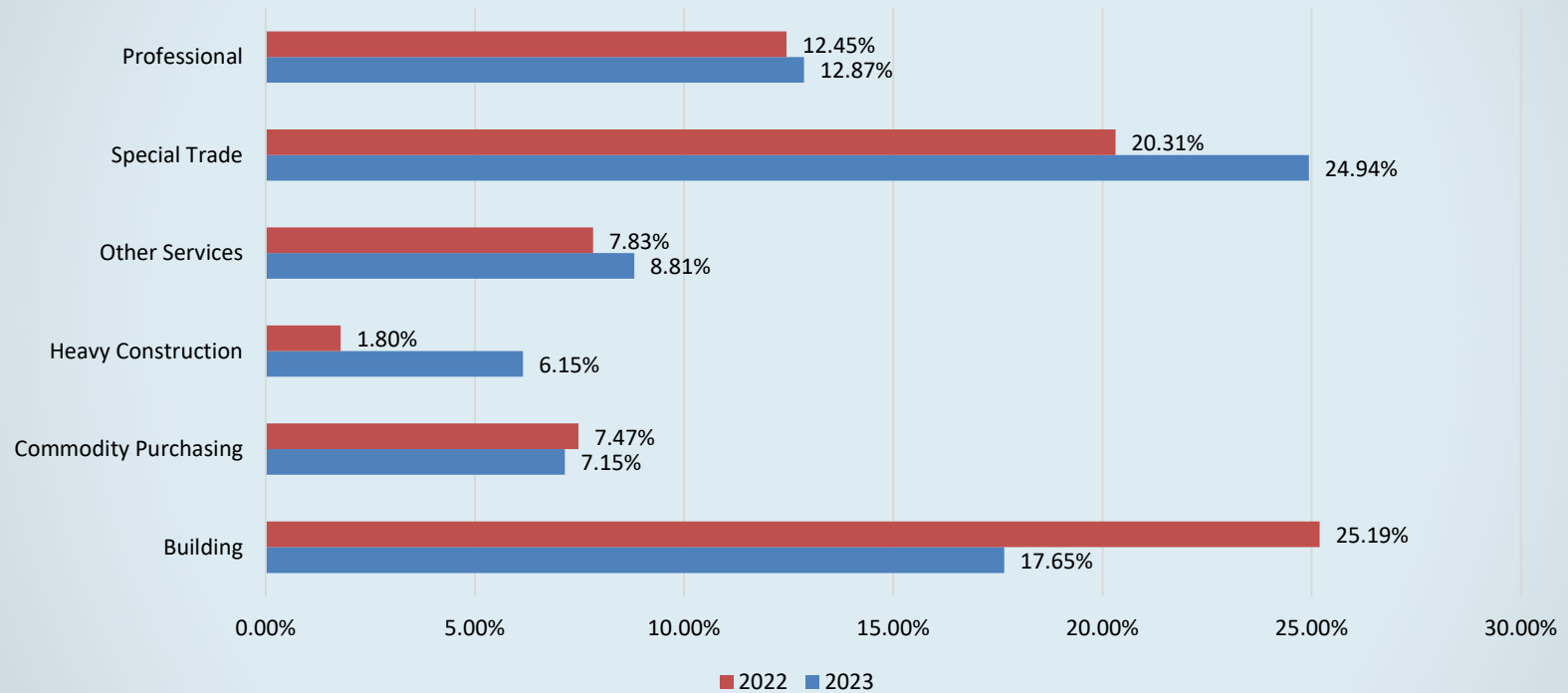
Health Institutions



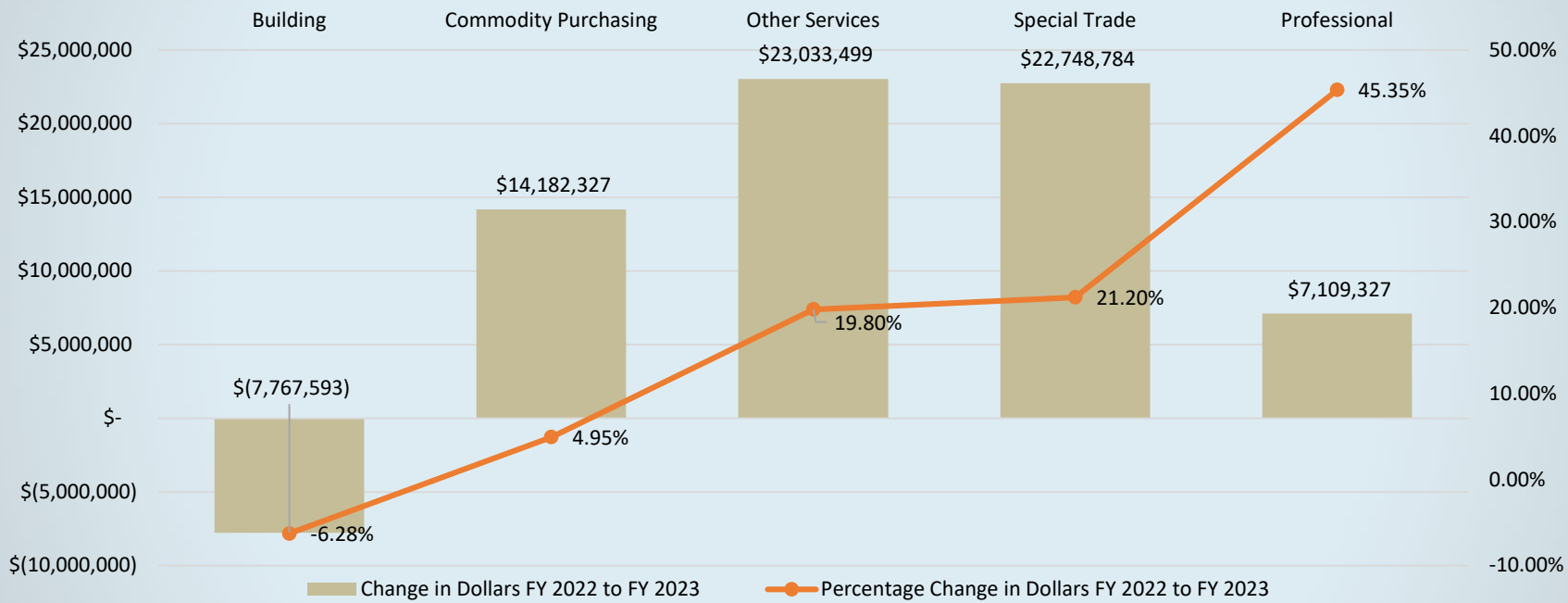
HUB Percentage Academic, Health, Systemwide



U. T. Systemwide HUB Percentages Procurement Category



U. T. Systemwide Change in HUB Expenditures FY 2022 – 2023



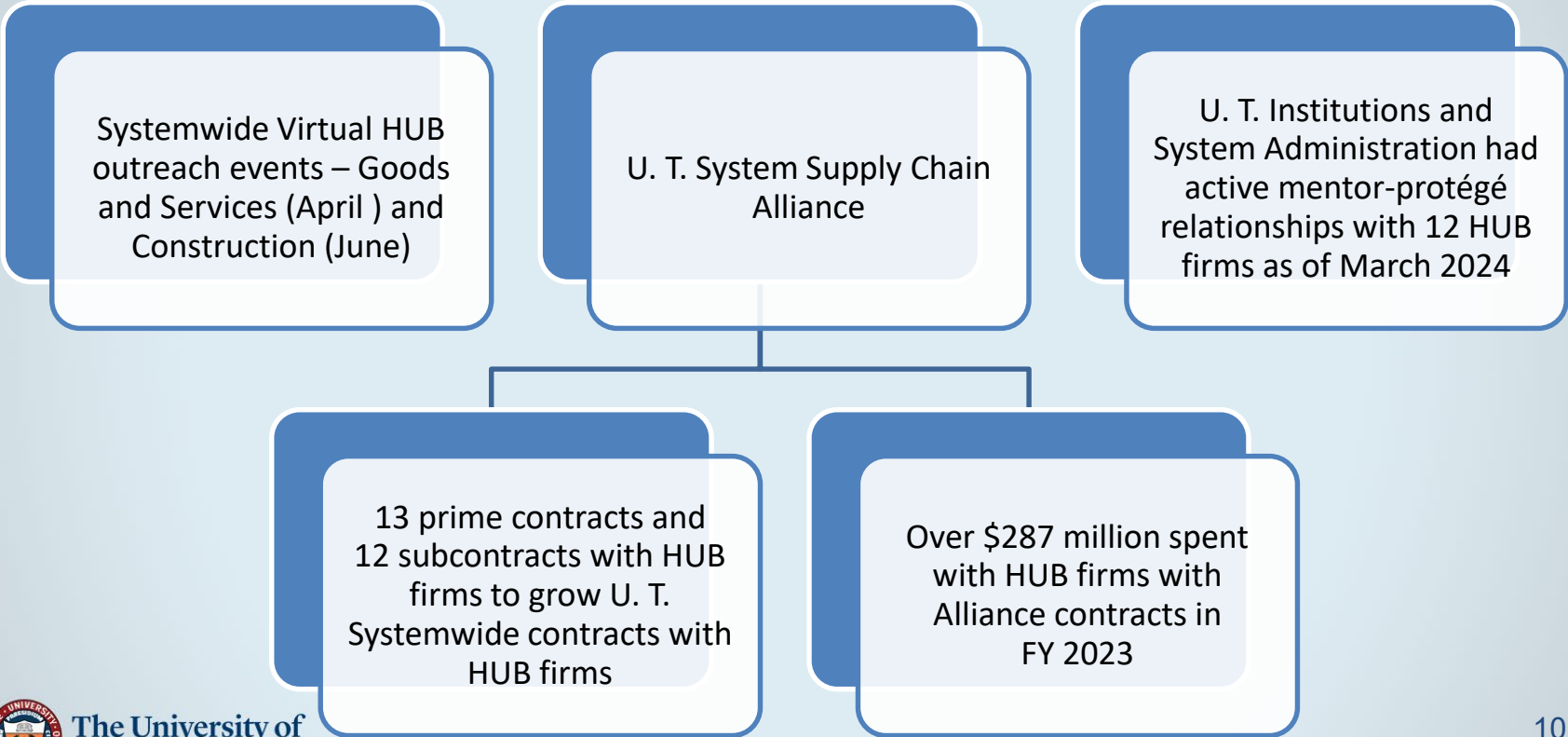
Challenges and Opportunities in Building Construction

- Challenges
 - Significant growth of large capital projects in major metro areas is increasing competition for subcontractors
 - Labor shortages in some key trade areas constrain the ability of subcontractors to take on new work
- Opportunities
 - Market projects to HUB subcontractors across the state, not just in local markets
 - Enhance outreach to HUB community through additional subcontractor training to facilitate stronger ties with general contractors

HUB Percentages and Expenditures – FY 2022 and FY 2023

U. T. System Institutions and Administration				
INSTITUTION	FY 2022 HUB PERCENT	FY 2023 HUB PERCENT	FY 2022 HUB DOLLARS	FY 2023 HUB DOLLARS
U. T. Arlington	20.50%	22.59%	\$40,337,821	\$38,065,411
U. T. Austin	16.78%	17.74%	\$109,244,166	\$121,371,123
U. T. Dallas	35.22%	26.98%	\$37,049,178	\$33,849,760
U. T. El Paso	23.74%	22.14%	\$15,153,352	\$16,424,991
U. T. Permian Basin	13.09%	10.10%	\$3,359,030	\$3,204,684
U. T. Rio Grande Valley	30.26%	25.85%	\$18,730,125	\$18,679,658
U. T. San Antonio	38.03%	33.60%	\$51,970,999	\$37,046,922
U. T. Tyler	8.48%	8.88%	\$2,868,584	\$3,777,966
U. T. Southwestern Medical Center	7.80%	7.56%	\$122,044,609	\$120,313,619
U. T. Medical Branch - Galveston	6.80%	7.36%	\$43,009,204	\$55,164,604
U. T. Health Science Center - Houston	11.20%	12.87%	\$26,004,724	\$33,783,333
U. T. Health Science Center - San Antonio	14.19%	13.55%	\$59,674,848	\$80,433,641
U. T. Health Science Center - Tyler	8.52%	15.02%	\$4,449,710	\$5,038,633
U. T. M. D. Anderson Cancer Center	4.89%	4.92%	\$106,511,460	\$118,427,556
U. T. System Administration	8.36%	11.93%	\$9,047,229	\$23,181,378
U. T. Systemwide	10.05%	9.93%	\$649,455,038	\$708,763,280

Systemwide Collaborations



5. **U. T. System Board of Regents: Presentation of Certificate of Appreciation to Student Regent John Michael Austin**

6. **U. T. Austin: Discussion and appropriate action related to a proposed State Agency Advance Funding Agreement with the Texas Department of Transportation related to the partial design package and associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35 between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and related agreements; and finding of public purpose**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor and General Counsel, and the institutional president that the Board of Regents:

- a. authorize U. T. Austin to enter into a State Agency Advance Funding Agreement with the Texas Department of Transportation (TxDOT) requiring U. T. Austin to contribute approximately \$13,500,000 for a thirty percent (30%) design package and preparation of associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35, between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and other related agreements;
- b. delegate authority to the institutional President or his designee to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary to carry out the purpose and intent of the foregoing actions, following review and approval by the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel;
- c. authorize the institutional President or his designee to continue negotiations with TxDOT regarding construction of potential cap or deck structures located above the proposed redesigned North Interstate Highway 35; and
- d. make a finding of public purpose as described below.

BACKGROUND INFORMATION

Description: U. T. Austin will enter into a State Agency Advance Funding Agreement (Agreement) with TxDOT for the preparation of environmental clearance documentation and the preparation of thirty percent (30%) design plans, specifications, and construction estimates (PS&E) package for cap or deck structures located above the proposed redesigned North Interstate Highway 35, between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas.

Agreement Term: The term of the Agreement will begin on execution of the Agreement and continue until the completion of all services and obligations contained in the Agreement.

Development

Standards: The architectural and engineering services will be provided by TxDOT using design firms procured in accordance with Federal and state law and doing the work in accordance with applicable design and engineering standards.

Contract Cost: Approximately \$13,500,000

In approving this item, the Board will be asked to make a finding that:

1. the proposed Agreement with TxDOT and related agreements support the public mission of and serve a public purpose appropriate to the function of U. T. Austin by providing the initial design and feasibility analysis to facilitate the possible development of one or more caps over I-35 that would improve the connectivity, safety, and accessibility between the institution's east campus and main campus;
2. pursuant to the terms of the proposed Agreement, U. T. Austin will have sufficient safeguards in place to ensure the public purpose will continue to be met on an ongoing basis, including the right to review the PS&E work product and the right to terminate the advanced funding agreement; and
3. the transaction will result in adequate consideration and benefits to U. T. Austin and the State of Texas, including an understanding of the project's construction scope, schedule, and budget, important considerations for future and strategic planning.