
AGENDA

UNIVERSITY OF HOUSTON SYSTEM BOARD OF REGENTS MEETING

DATE: Thursday, December 3, 2020

TIME: 3:30 PM

PLACE: The University of Houston System Board of Regents will convene this meeting remotely by videoconference from various locations.
It is necessary to conduct this committee meeting remotely due to the COVID-19 pandemic.

Link to live broadcast of meeting: <https://uh.edu/bor-live>

Chair: Beth Madison

Vice Chair: Jack B. Moore

Members: Durga D. Agrawal
Alonzo Cantu
John A. McCall, Jr.
Alvaro De La Cruz
Tilman J. Fertitta, Ex Officio

I. Board of Regents Meeting

A. Call to Order

Presenter: Chairman Tilman J. Fertitta

B. Open Forum

Presenter: Chairman Tilman J. Fertitta

C. Approval of Minutes:

- August 10, 2020, Special Called Teleconference Board of Regents Meeting
- August 20, 2020, Board of Regents Meeting

Action: Approval

Presenter: Chairman Tilman J. Fertitta

II. Board of Regents Items

- #### A. Presentation by University of Houston Faculty Senate President on the "Report on 6 the Faculty: Moving Forward" - University of Houston

Action: Information

Presenter: Dr. Jeronimo Cortina, President of the Faculty Senate

III. **Committee Reports Listing Consent Docket Items for Board Approval**

All action items considered and unanimously approved by the Endowment Management Committee, Item A; the Audit and Compliance Committee, Item B; the Academic and Student Success Committee, Item C; the Facilities, Construction and Master Planning Committee, Item D; and the Finance and Administration Committee, Item E, held on Thursday, December 3, 2020 are listed under each Committee Report as Consent Docket Agenda items requiring final Board approval unless otherwise noted. Pursuant to Board By-Law 6.9, any regent may request that an individual item be removed from the Consent Docket Agenda and be considered by the full Board.

A. **Endowment Management Committee Report - December 3, 2020**

Presenter: Chair Steve I. Chazen

1. Approval is requested for the annual review of the University of Houston System Board of Regents Endowment Management Committee Charter - University of Houston System

Action: Approval

2. Approval is requested to delegate authority to the Chancellor to negotiate and execute a contract for investment consulting services for the University of Houston System's endowed and non-endowed portfolios- University of Houston System

Action: Approval

B. **Audit and Compliance Committee Report - December 3, 2020**

[No items were brought forward that would require further Board approval]

Presenter: Chair Jack B. Moore

C. **Academic and Student Success Committee Report - December 3, 2020**

Presenter: Chair Beth Madison

1. Approval of a Bachelor of Arts in Biology - University of Houston-Downtown¹⁰

Action: Approval

2. Approval of University of Houston Honorary Degrees - University of Houston¹⁵

Action: Approval

3. Approval is requested for the annual review of the University of Houston System Board of Regents Academic and Student Success Committee Charter - University of Houston System

Action: Approval

D. **Facilities, Construction and Master Planning Committee - December 3, 2020**

Presenter: Chair Doug H. Brooks

1. Approval is requested for the annual update to the University of Houston-Clear Lake Master Plan - University of Houston-Clear Lake

Action: Approval

2. Approval is requested for the annual update to the University of Houston-Downtown Master Plan - University of Houston-Downtown 24

Action: Approval

3. Approval is requested for revisions to University of Houston System Board Policy 53.01.01 - University of Houston System 31

Action: Approval

4. Approval is requested for the annual review of the University of Houston System Board of Regents Facilities, Construction, and Master Planning Committee Charter - University of Houston System 36

Action: Approval

E. **Finance and Administration Committee Report - December 3, 2020**

Presenter: Chair Gerald W. McElvy

1. Approval is requested to delegate authority to the Chancellor to negotiate and execute contracts exceeding \$1 million for the purchase of goods or services, excluding construction contracts, at the University of Houston System - University of Houston System 38

Action: Approval

2. Approval is requested to delegate authority to the Chancellor to negotiate and execute construction contracts exceeding \$1 million for projects at the University of Houston System - University of Houston System 40

Action: Approval

3. Approval is requested to modify banking and investment resolutions for the University of Houston System - University of Houston System 42

Action: Approval

4. Approval is requested for the annual review of the University of Houston System Board of Regents Finance and Administration Committee Charter - University of Houston System 47

Action: Approval

IV. **Committee Report Item(s) not Addressed in the Consent Docket but requiring Final Board Approval**

[No items were brought forward from the Committees requiring final Board approval]

Presenter: Chairman Tilman J. Fertitta

V. **Board of Regents Item(s) cont'd.**

Presenter: Chairman Tilman J. Fertitta

- A. University of Houston Strategic Plan - University of Houston 49

Action: Approval

Presenter: Chancellor Renu Khator

- B. Report on Cybersecurity at the University of Houston System - University of Houston System 54

Action: Information

Presenter: Dr. Dennis Fouty, Associate Vice Chancellor for Information Technology and Chief Information Officer

- C. Dismissal of a tenured faculty member - University of Houston 70

Action: Approval

Presenter: Dr. Mark Clarke, Associate Provost for Faculty Development and Faculty Affairs

VI. **Chancellor's Report: System Profile and Accomplishments**

Presenter: Chancellor Renu Khator

VII. **Executive Session**

Presenter: Chairman Tilman J. Fertitta

- A. 1. Consultation with System Attorney Regarding Legal Matters and/or Contemplated Litigation or Settlement Offers

- TEXAS GOV'T CODE SECTION 551.071
 - Pre-litigation and Litigation Status Update
 - Other pending legal and contract matters, potential legal claims, updates, discussion and advice from General Counsel
- 2. Deliberations regarding the Purchase, Exchange, Sale or Value of Real Property
 - TEXAS GOV'T CODE SECTION 551.072
 - Real Estate Matters
- 3. Deliberation Regarding a Prospective Gift
 - TEXAS GOV'T CODE SECTION 551.073
- 4. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees including but not limited to the Chancellor, Presidents, Vice Chancellors, in the Division of Athletics and members of the Board of Regents
 - TEXAS GOV'T CODE SECTION 551.074
 - Annual Evaluations of Executive Officers by Chancellor Renu Khator

VIII. Report and Action from Executive Session

Presenter: Chairman Tilman J. Fertitta

- A. Approval is requested to delegate authority to the Chancellor to negotiate and execute updated employment agreements for executive management employees - University of Houston System 94

Action: Approval

- B. Return of Charter for UH Charter School - University of Houston System 95

Action: Approval

IX. Adjourn

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

ITEM: Presentation by University of Houston Faculty Senate President on the "Report on the Faculty: Moving Forward"

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY:

Dr. Jeronimo Cortina, Faculty Senate President for the University of Houston will give remarks to the Board on the "Report on the Faculty: Moving Forward."

SUPPORTING DOCUMENTATION: None

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Information

COMPONENT: University of Houston

Renu Khator
CHANCELLOR

Renu Khator

11/25/2020
DATE

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Endowment Management

ITEM: Approval is requested for the annual review of the University of Houston System Board of Regents Endowment Management Committee Charter

DATE PREVIOUSLY SUBMITTED: August 23, 2018

SUMMARY:

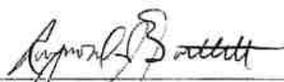
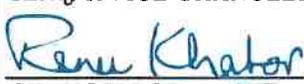
In accordance with the UH System Board of Regents Bylaws, the Endowment Management Committee shall review this charter at least once a year. There is one recommended edit to this charter, which is to delete the statement that the chair of the Finance and Administration Committee shall be a member of the Endowment Management Committee. Said language was a hold-over from the late 2000's and should have been corrected when we last presented the committee charter for review.

SUPPORTING DOCUMENTATION: Endowment Management Committee Charter- redline

FISCAL NOTE: None

RECOMMENDATION/ ACTION REQUESTED: Administration recommends approval of this item.

COMPONENT: University of Houston System

 _____ SENIOR VICE CHANCELLOR	Raymond S. Bartlett	11/12/2020 _____ DATE
 _____ CHANCELLOR	Renu Khator	11/12/2020 _____ DATE

Endowment Management Committee

Charter: The endowment management committee has oversight of all investment assets and activities, outside investment managers, investment consultants, and any other matters pertaining to endowed and non-endowed assets for the System. It also provides oversight of investment policies and performance.

The committee is required to perform a review of the charter annually, as required by Board of Regent Bylaws.

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Endowment Management Committee

ITEM: Approval is requested to delegate authority to the Chancellor to negotiate and execute a contract for an investment consultant for the University of Houston System Endowment and Non-Endowed Investments

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

We are seeking approval to enter into a contract with an investment consultant to assist the board and staff on all investment and related matters for the University of Houston System endowed and non-endowed assets. A request for proposal was issued for investment consulting services in May 2020. An evaluation team comprised of UH staff independently evaluated the nine proposals received. Four firms were selected as finalist candidates based on the highest scores. The finalist firms gave virtual presentations, and the evaluation team evaluated each firm, including client reference checks and best and final offer pricing was requested. NEPC was the selected firm.

SUPPORTING DOCUMENTATION: None

FISCAL NOTE: \$1.02 million for the initial 3-year term
\$0.70 million for the optional terms (two 1-year renewal options)

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston System



SENIOR VICE CHANCELLOR Raymond S. Bartlett

11/12/2020

DATE



CHANCELLOR Renu Khator

11/12/2020

DATE

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Approval of a Bachelor of Arts in Biology – University of Houston-Downtown

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

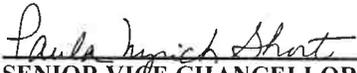
The University of Houston-Downtown requests approval to establish a Bachelor of Arts in Biology. The proposed degree will help reduce the number of required courses in the sciences and mathematics to 25 hours of free electives. This will allow students to explore a variety of emerging interdisciplinary minors at the university (e.g., sustainability, bioinformatics, data science) as well as undergraduate certificates without exceeding 120 hours for the degree. The Bachelor of Science in Biology is one of the most popular in the College of Sciences and Technology and one of the largest on campus with 420 students. From 2019 to 2029, the U.S. Bureau of Labor Statistics projects healthcare employment needs to grow 15% and life, physical, and social science occupations by 5% adding about 2.4 million and 68,200 new jobs, respectively. The program expects to generate revenue starting in its first year.

SUPPORTING DOCUMENTATION: Program Description and Financial Pro Forma

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston-Downtown

		11/16/2020
<hr/>		<hr/>
PRESIDENT	Antonio D. Tillis	DATE
		11/13/2020
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SENIOR VICE CHANCELLOR	Paula Myrick Short	DATE
		11/25/2020
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CHANCELLOR	Renu Khator	DATE

BACHELOR OF ARTS IN BIOLOGY

UNIVERSITY OF HOUSTON-DOWNTOWN

Congruence with System Goals and University Mission

The University of Houston-Downtown (UHD) seeks to offer a Bachelor of Arts (B.A.) in Biology to better fulfill UHD's mission to "provide strong academic and career preparation" for the many students who come to UHD with interests in science-related careers but want to pair that experience with complementary study in other academic areas. The B.A. in Biology is distinguished from UHD's highly successful B.S. in Biology by a curriculum that combines the core knowledge and competencies developed in life science programs with more elective hours to pursue knowledge and skills developed in other key career-driven areas such as health sciences, criminal justice, education, and psychology. In recognition of both UHD and UH System goals to provide clear transfer pathways for students within the UH System and among regional partners, this degree is particularly viable for entering transfer students whose area of specialization was not in biology, allowing minimal loss of hours and an opportunity to complete a science degree, which are traditionally highly structured and difficult to complete within four years if students don't start as freshmen.

Program Description

The B.A. in Biology is a broad liberal arts degree that focuses on providing foundational required courses in sciences and mathematics while providing students with 25 hours of free electives in the program instead of only 4-5 hours of free electives in the current B.S. in Biology. The program's coursework prepares students for biomedical professional schools, secondary teaching, and technical jobs in many fields which require life sciences degrees. Additionally, this program allows students to explore a variety of emerging interdisciplinary minors in the university (e.g., sustainability, bioinformatics, data science) and undergraduate certificates without exceeding 120 hours for the degree. The program outcomes are as follows:

1. Graduates will have the basic knowledge of their curriculum.
2. Graduates will have laboratory skills common to modern laboratories.
3. Graduates will be able to communicate scientific information in writing, and in oral presentations
4. Graduates will be able to work as part of a team.
5. Graduates will have demonstrated understanding of ethical standards for responsible conduct regarding scientific research and scientific communication.

Student and Job Market Demand

The B.A. in Biology offers an ideal bridge between the traditional liberal arts programs which foster breadth of knowledge and attention to critical skills sought by employers and the disciplinary focus on high-demand life-sciences knowledge. Such a combination creates a highly marketable degree for a range of career opportunities.

The elective hours in the program allow students diverse coursework in areas that pair well with science fields (psychology, education, criminal justice, sociology) and bolster many of the "soft skills" areas sought by employers. Citing the World Economic Council, *Forbes* in 2016 reported the following critical skills needed by graduates in 2020 and beyond: complex problem solving, critical thinking, creativity, people management and coordination, emotional intelligence, judgement and decision-making, service orientation, negotiation, and cognitive flexibility. *Harvard Business Review* in 2019 described the value of liberal arts experiences for employment: "a student's undergraduate experience, and how well the experience advances

BACHELOR OF ARTS IN BIOLOGY UNIVERSITY OF HOUSTON-DOWNTOWN

critical learning outcomes (knowledge of human cultures and the physical and natural world, intellectual and practical skills, personal and social responsibility, integrative and applied learning), is what matters most, with 80% of employers agreeing that all students need a strong foundation in the liberal arts and sciences.” Increasingly in order to solve large-scale human problems, we need well-rounded graduates who understand how technology, science, and people interact. As shared by the late Steve Jobs, “it is in Apple’s DNA that technology alone is not enough—it is technology married with liberal arts, married with the humanities that yields us the results that make our heart sing.”

The life sciences curricular specialization in this B.A. in Biology additionally and specifically prepares students for careers in growth areas of the workforce. As per the U.S. Bureau of Labor Statistics, “employment in life, physical, and social science occupations is projected to grow 5 percent from 2019 to 2029, faster than the average for all occupations, and will result in about 68,200 new jobs. Increasing demand for expertise in the sciences, particularly in occupations involved in biomedical research, psychology, energy management, and environmental protection, is projected to result in employment growth.” One large area of employment falls within the classification of “lab technician” spanning multiple fields; according to the glassdoor.com website, there were 410 job openings for “lab technicians” in the Houston area alone during September 2020 and over 25,000 nationally that require a bachelor’s degree in a life or physical science.

Beyond jobs in fields ranging from pharmaceuticals to healthcare administration to food industries, students with this degree have potential to address high-need teaching positions in the sciences. According to the occupational employment projections developed for all states by Labor Market Information (LMI), the need for biology science teachers will grow by 11% nationally and as per individual state Employment Projections offices by 15% in Texas between 2018 and 2028.

In terms of student demand, the current B.S. in Biology, even with its more structured curricular pathway is one of the most popular in the UHD College of Sciences and Technology and one of the largest on campus with 420 students. In many cases, students who transfer to UHD with an interest in the BS degree choose not to pursue it in order to complete a degree in a more timely manner. The B.A. in Biology will therefore open new pathways for these transfer students to opt in to their preferred career path.

Program Duplication

Life science degrees are the most popular degrees in science, technology, engineering, and mathematics. Hence, every university in Texas offers degrees in biology, usually as B.S. degrees and at some universities with both B.S. and B.A. degrees. Duplication is not the issue in offering this degree but affording UHD students the same flexibility to complete a degree in a timely manner that other regional universities provide their students. In the UH System (1) UH offers a B.A. in Biology with half the number of elective hours; and (2) UHCL offers a B.A. in Biology with less than 9 elective hours. UHV offers no B.A. in Biology. Other universities in the region include the University of St. Thomas with similar number of elective hours toward a 126 hour degree; Sam Houston State University with only 6 elective hours; TAMU-College Station with 23 elective hours; and UT-Austin with 21 hours of electives.

BACHELOR OF ARTS IN BIOLOGY

UNIVERSITY OF HOUSTON-DOWNTOWN

Faculty Resources

UHD does not anticipate additional faculty requirements. The curriculum for the B.A. in Biology shares core content with the existing B.S. in Biology in terms of science courses but allows more electives. Therefore, the current Biology program faculty and hiring processes will provide all the necessary instruction for the science courses. The increased elective hours can be taken from within any of the 44 UHD degree plans, all staffed by qualified faculty in those disciplines.

State or National Need

Broad education in the life sciences touches upon most of the relevant issues citizens must contend with in the 21st century across many careers and civic life, ranging from climate change, conservation, and sustainable agriculture and economy to human health, and even understanding the power and limitations of big data analysis.

This degree not only prepares students for jobs in high-need fields such as healthcare, education, and energy, but also prepares them to pursue graduate and professional work in those same fields, all of which have demonstrated need as described in earlier sections. According to the Bureau of Labor Statistics, “employment in healthcare occupations is projected to grow 15 percent from 2019 to 2029, much faster than the average for all occupations, adding about 2.4 million new jobs. Healthcare occupations are projected to add more jobs than any of the other occupational groups.” Also, jobs for biological technicians which require a degree in biology or related science are projected to grow 5 percent from 2019 to 2029 and “continued growth in biotechnology and medical research is expected to increase demand for these workers.” Texas is among the top five states with highest employment levels in the areas of “life scientists” and “environmental scientists and specialists, including health.” Moreover, Houston is home to the largest medical complex in the world, the Texas Medical Center, whose employment page invites applicants to be “part of the next generation of innovation in the life sciences”—UHD’s B.A. in Biology will prepare essential workers to meet these needs.

PRO FORMA FOR BA in Biology-UHD

FY2022			Operating Years					
			Year 0	FY2022	FY2023	FY2024	FY2025	FY2026
				Fall21	Fall22	Fall23	Fall24	Fall25
Enrollments								
Cohort 1				33	28	24	20	
Cohort 2					50	43	36	31
Cohort 3						60	51	43
Cohort 4							60	51
Cohort 5								95
Cohort 6								
Total				33	78	126	167	220
Expenses								
Faculty (9 month)	Salary	Avg % effort	Year 0	FY2022	FY2023	FY2024	FY2025	FY2026
Amy Baird	68,501	20%		9,786	9,786	19,572	9,786	19,572
Yuan Connie Kang	59,567	20%		8,510	8,510	8,510	17,019	17,019
Lisa Morano	86,937	11%		-	12,420	12,420	12,420	12,420
Rachna Sadana	88,500	20%		-	12,643	25,286	25,286	25,286
Michael Tobin	69,638	26%		9,948	19,897	19,897	19,897	19,897
Adriana Visbal	63,319	14%		-	18,091	9,046	9,046	9,046
Vaishali Chaubal	51,209	26%		9,046	-	18,091	27,137	27,137
Sanghamitra Saha	47,613	20%		7,316	-	7,316	14,631	21,947
Courtney Standlee	50,000	23%		6,802	-	6,802	13,604	27,207
Subtotal	585,284	180%	-	51,407	81,346	126,937	148,824	179,529
Faculty FTE				0.9	1.1	1.9	2.3	2.9
Staff (12 month)								
Current Department Administrator	50,000	10%		5,000	5,000	5,100	5,100	5,202
Faculty Director Release (adjunct replace)	NA	14%		6,400	6,400	6,528	6,528	6,659
Subtotal	50,000	24%	-	11,400	11,400	11,628	11,628	11,861
Staff FTE				0.24	0.24	0.24	0.24	0.24
Total Salaries			-	62,807	92,746	138,565	160,452	191,390
Benefits @ 28%			-	17,586	25,969	38,798	44,927	53,589
Total Personnel			-	80,393	118,714	177,364	205,379	244,979
Non-Personnel								
Marketing/Recruiting				10,000	5,000	5,000	2,500	2,500
Scholarships & Tuition Assistantships				-	-	-	-	-
Annual maintenance & operations				5,000	5,000	5,000	5,000	5,000
Library and Information Technology				4,000	4,000	4,000	4,000	4,000
Accreditation				-	-	-	-	-
Facilities				-	-	-	-	-
Laboratory and other equipment				50,000	10,000	10,000	10,000	10,000
Other				-	-	-	-	-
Total Non-Personnel			-	69,000	24,000	24,000	21,500	21,500
Allocated to university operations	20%			53,400	126,299	218,667	285,090	388,881
Total Annual Expense			\$ -	\$ 202,792	\$ 269,013	\$ 420,030	\$ 511,969	\$ 655,360
Revenue								
Formula Funding Generated				-	-	174,672	174,672	402,730
Statutory Tuition Applied to Formula				-	-	(103,560)	(103,560)	(238,772)
Subtotal: State General Revenue				-	-	71,112	71,112	163,958
UHD Tuition and Fees				288,866	683,211	1,105,939	1,465,258	1,926,262
Allocated to set aside per student				(21,867)	(51,718)	(83,718)	(110,918)	(145,815)
Total Revenue from Enrollment				266,999	631,493	1,093,333	1,425,452	1,944,405
Philanthropy and other External Revenue				-	-	-	-	-
Net Revenue				266,999	631,493	1,093,333	1,425,452	1,944,405
Net Annual Gain/(Loss)			-	\$ 64,207	\$ 362,480	\$ 673,303	\$ 913,483	\$ 1,289,045
Cumulative Gain/(Loss)			-	\$ 64,207	\$ 426,686	\$ 1,099,989	\$ 2,013,472	\$ 3,302,518
Campus Signoff								
Daniel Chang, Program Director, Office of the Provost Signature:								
Vivianne Do, Executive Director, Office of the Provost Signature:								

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

COMMITTEE: Academic and Student Success

ITEM: Approval of University of Houston Honorary Degrees

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

The University of Houston requests approval to confer honorary degrees to individuals who have made significant contributions to the community and the University.

SUPPORTING
DOCUMENTATION:

FISCAL NOTE: None

RECOMMENDATION/
ACTION REQUESTED: Administration recommends approval of this item

COMPONENT: University of Houston



PRESIDENT

Renu Khator

11/25/2020
DATE


SENIOR VICE CHANCELLOR

Paula Myrick Short

11/13/2020
DATE



CHANCELLOR

Renu Khator

11/25/2020
DATE

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Approval is requested to update the University of Houston System Board of Regents Academic and Student Success Committee Charter

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

Per UH System Board of Regents Bylaws 5.2.1, the charters of the standing committees should be reviewed by the committee annually and updated as necessary subject to approval by the Board.

SUPPORTING DOCUMENTATION: Academic and Student Success Committee Charter

FISCAL NOTE:

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston System



PRESIDENT

Renu Khator

11/25/2020
DATE



SENIOR VICE CHANCELLOR

Paula Myrick Short

11/13/2020
DATE

CHANCELLOR

Renu Khator

11/25/2020
DATE

Academic and Student Success Committee Charter

Charter: The academic and student success committee has oversight of instruction, research, and service policy and performance, including review of the Chancellor's recommendations on academic programs. It also has oversight of all matters related to student success, including academic and student support programs.

More specifically, the committee shall:

- (a) review and recommend approval of the role and mission of the system and its component universities;
- (b) review and recommend approval of the academic organization of the universities at the college /school level;
- (c) review and recommend approval of major academic policies; proposed new or major changes in academic programs; and provide oversight of academic program reviews;
- (d) review and recommend approval of campus admissions policies and major policies pertaining to students, student activities and student organizations;
- (e) monitor student success indices and review and approve programs aimed at increasing retention and graduation rates and student satisfaction;
- (f) review the research agenda and priorities and review and accept reports on research contracts and grants;
- (g) review and accept reports on the service mission, including academically related activities in community engagement;
- (h) review and recommend approval on matters concerning the library, technology, intellectual property, and emerging issues;
- (i) review and recommend approval of certain academic personnel actions; and
- (j) consider and make recommendation on any other matters that arise concerning academic and student success. (11/14/14)
- (k) Review and recommend approval of the Academic and Student Success Committee Charter every year during the August meeting 8/23/18)
- (l) Review and recommend approval of the UH System Faculty Workload Report every August (8/23/18)

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

COMMITTEE: Facilities, Construction and Master Planning

ITEM: Approval is requested of the annual update to the University of Houston-Clear Lake Master Plan.

DATE PREVIOUSLY SUBMITTED: November 2019

SUMMARY: Approval is requested for the annual update to the University of Houston-Clear Lake Master Plan, which will be presented by President Ira Blake.

SUPPORTING DOCUMENTATION: PowerPoint Presentation

FISCAL NOTE:

RECOMMENDATION/
ACTION REQUESTED: Administration recommends approval of this item

COMPONENT: University of Houston-Clear Lake

		<u>11/12/2020</u>
PRESIDENT	Ira K. Blake	DATE
		<u>11/12/2020</u>
SENIOR VICE CHANCELLOR	Raymond S. Bartlett	DATE
		<u>11/12/2020</u>
CHANCELLOR	Renu Khator	DATE



**BOARD OF REGENTS
ANNUAL MASTER PLAN UPDATE
FOR
UH-Clear Lake**

December 3, 2020

MASTER PLAN UPDATE OVERVIEW

Current Master Plan Goals

- Enhance campus identity and visibility
- Reinforce a coherent land use and development framework
- Employ compact development strategies
- Celebrate the natural environment



Future Initiatives

- STEM II
- Pearland Enhancements
- Dining Facilities Upgrade
- Signage & Wayfinding Master Plan
- Bayou Building Retrofit
- Campus Center/Student Center
- Campus-wide transportation plan, including vehicular, bicycle, public transit, shuttle and pedestrian
- Welcome Center/Student Center
- Study and implement entrance and intersection improvements.



MASTER PLAN UPDATE OVERVIEW

Building Updates (added or removed)

- No updates

Land Purchases or Boundary Updates (added or removed)

- Completed Pipeline Easement agreement
- Completed Campus Boundary Survey

Landscape, Art or Misc. Updates (added or removed)

- Harris County bike path on campus completed
- Installed Electric Vehicle Charging Stations



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MASTER PLAN UPDATE OVERVIEW

UHCL Clear Lake

- **STEM Building – Fall 2018**
- **Rec & Wellness – Fall 2018**
- **Hunter Hall – Fall 2019**
- **STEM II Building - Next**

- 1 Multi-Use Recreation Field
- 2 Play Courts
- 3 Gathering/Activity Plaza
- 4 Campus Mall
- 5 Wetland Garden
- 6 Bayou Building
- 7 Student Services and Classroom Building
- 8 STEM and Classroom Building
- 9 Recreation and Wellness Building
- 10 Campus Center
- 11 Welcome Center/ One Stop
- 12 Academic Building
- 13 STEM II Building
- 14 Housing
- 15 Parking Structure



- 1 Improved Entrance Intersection
- 2 Multi-use Path
- 3 Gathering/Activity Plaza
- 4 Campus Life— Gallery and Cafe
- 5 Boardwalk Path
- 6 Academic Building
- 7 Arbor Building
- 8 Delta Building
- 9 Campus Mall
- 10 Wetland
- 11 Campus Life
- 12 Housing
- 13 Potential Future Growth
- 14 Central Utility Plant
- 15 Recreation Center
- 16 Play Courts
- 17 Courtyard



University
of Houston
Clear Lake

MASTER PLAN UPDATE OVERVIEW

UHCL Pearland

- New Health Sciences and Classroom Building opened Spring 2019
- New main entrance: 2021



**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Facilities, Construction and Master Planning

ITEM: Approval is requested of the annual update to the University of Houston-Downtown Master Plan.

DATE PREVIOUSLY SUBMITTED: November 2019

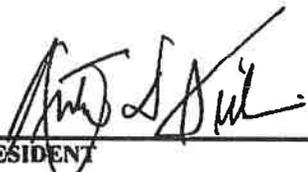
SUMMARY: Approval is requested for the annual update to the University of Houston-Downtown Master Plan, which will be presented by Interim President Antonio D. Tillis.

SUPPORTING DOCUMENTATION: PowerPoint Presentation

FISCAL NOTE:

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston-Downtown



PRESIDENT Antonio D. Tillis

11/12/2020
DATE



SENIOR VICE CHANCELLOR Raymond S. Bartlett

11/12/2020
DATE



CHANCELLOR Renu Khator

11/12/2020
DATE



**BOARD OF REGENTS
ANNUAL MASTER PLAN UPDATE
FOR
UNIVERSITY OF HOUSTON DOWNTOWN**

December 3, 2020

MASTER PLAN UPDATE OVERVIEW

Current Master Plan Goals

- Develop greater 'sense of place' and true campus feel
- Plan in recognition of major projects being undertaken by others
 - Highway Relocation (TXDoT)
 - North Canal (City of Houston, Harris County Flood Control District, TXDoT)
- Provide for academic growth and development
- Provide for research growth and development
- Strengthen campus connectivity and enhance pedestrian character
- Improve student parking, qualitatively and quantitatively

Future Initiatives

- Add 4th Floor to the Girard Street Building (TRB Request)
- Re-purpose space in the One Main Building made available by the new Science & Technology Building (TRB Request)
- Relocate Police Department into a stand-alone structure (TRB Request)
- Student Center/Student Union (convert existing Student Life Center)
- Student Parking Garage

MASTER PLAN UPDATE OVERVIEW

Building Update

- **Student Wellness & Success Center – In design, construction begins late Spring 2021**
- **Address Planned/Deferred Maintenance as per Life Cycle Index**

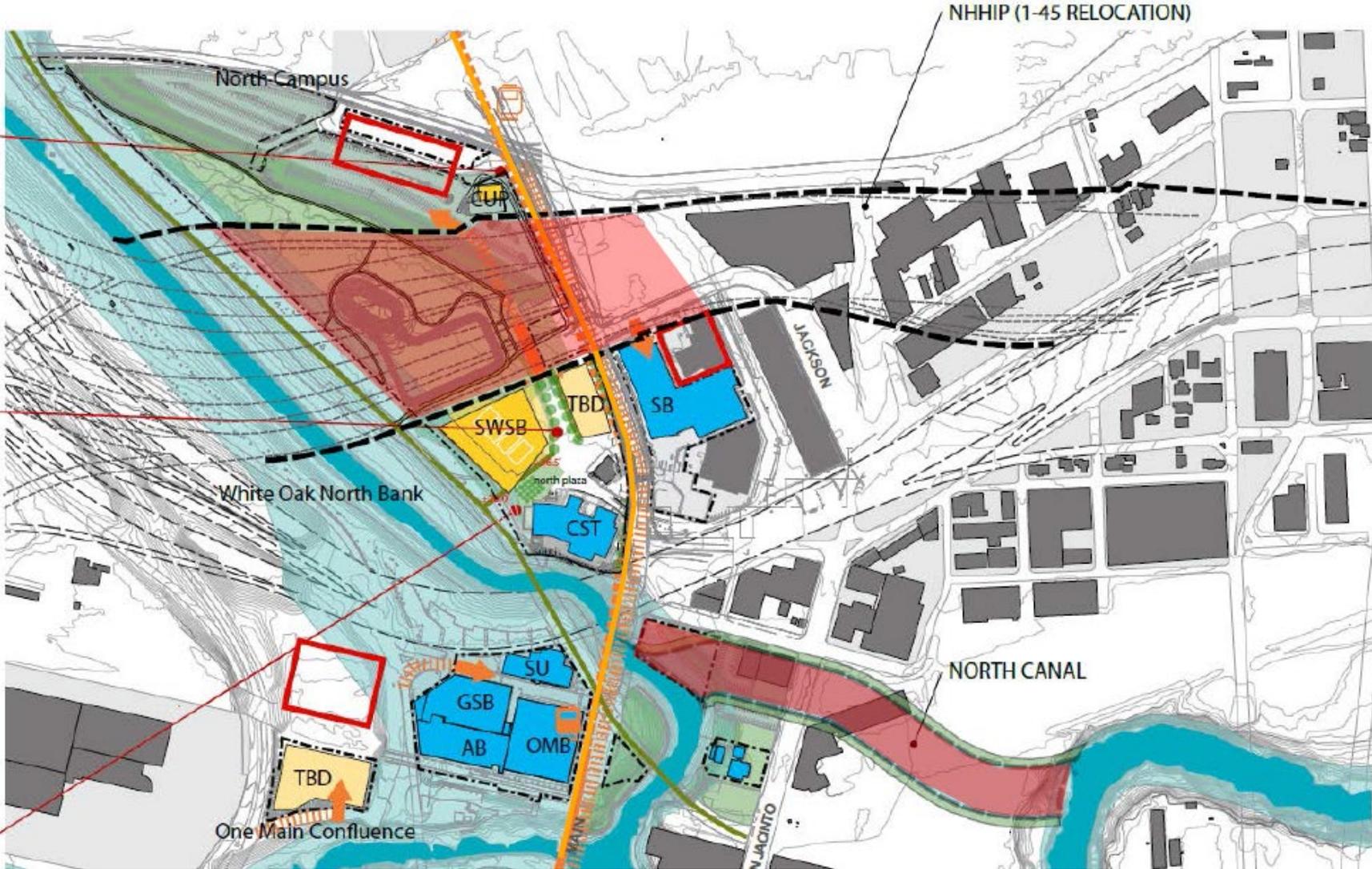
Land Purchases / Real Estate Update

- **UHD/UHS (OGC, ORES) are engaged in discussions with TXDoT regarding UHS land that will be required for the coming highway relocation project (NHHIP Segment 3).**
- **UHD/UHS (OGC/ORES) expects to soon be in discussions with the City of Houston and Harris County Flood Control District regarding UHS land that will be required for the coming North Canal project.**

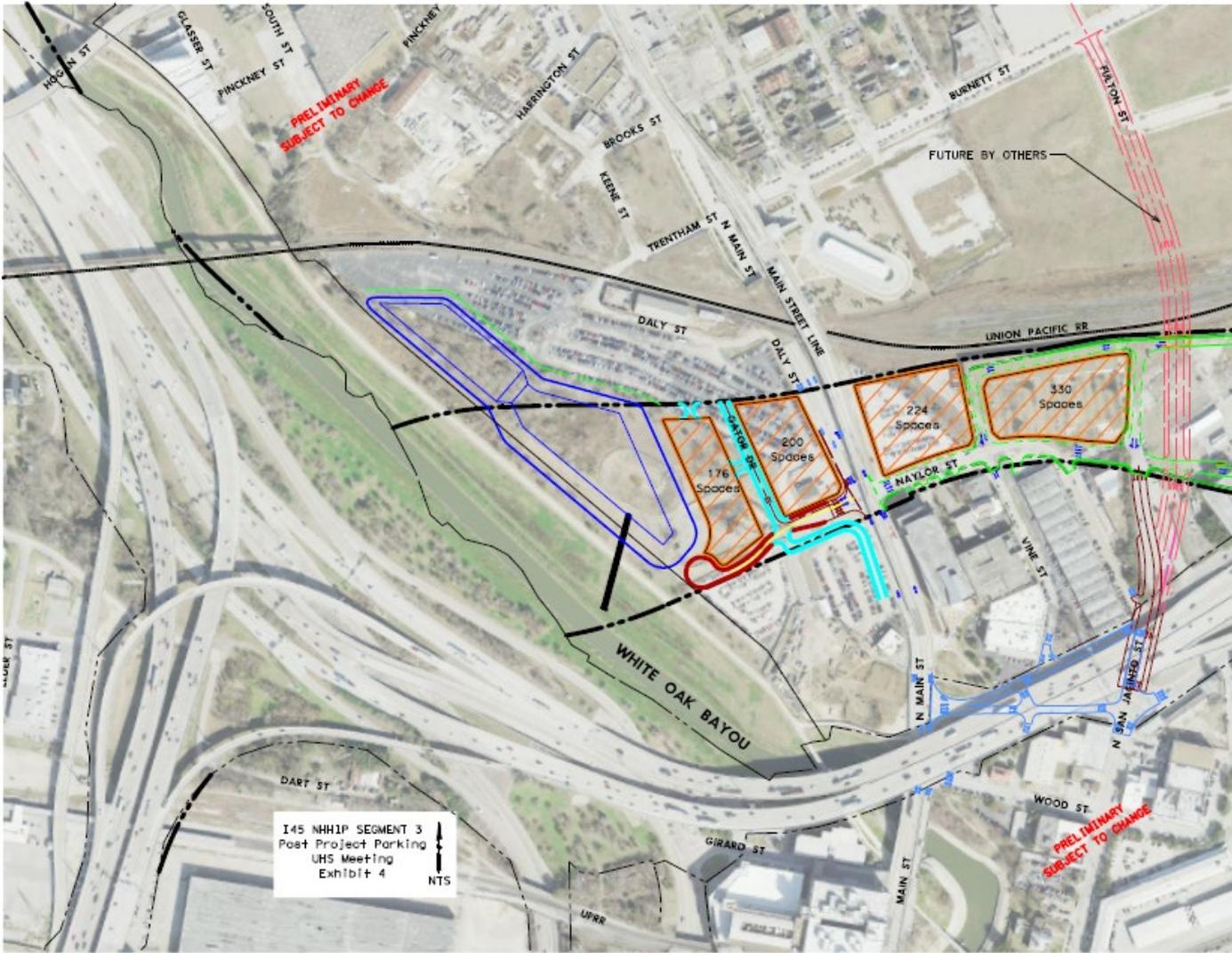
Landscape, Art or Misc. Update

- **Work with community partners to integrate bayou parklands into UHD campus**
- **Science & Tech Building Landscaping – Multi-year effort to establish sustainable grounds comprised of native plants, prairie grasses, and wildflowers**
- **Flood Mitigation for One Main Building**
 - **Completed installation of a floodgate system to protect the One Main Building and reduce losses from future flood events.**

UHD CMP OVERVIEW (with TXDoT/North Canal)



Detention Pond / Parking – Post-TXDoT NHHIP



**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Facilities, Construction and Master Planning

ITEM: Approval is requested for revisions to University of Houston System Board Policy 53.01.01.

DATE PREVIOUSLY SUBMITTED: August 2017

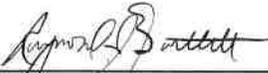
SUMMARY: Approval is requested to modify University of Houston System Board Policy 53.01.01 related to the University of Houston System-wide Public Art Committee. In this proposed revision, it is requested to change the delegation for approval of updates to the University of Houston System-wide Public Art Committee Procedures Manual from Board approval to approval by the Chancellor.

SUPPORTING DOCUMENTATION: Policy Revision Draft

FISCAL NOTE: N/A

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston System



SENIOR VICE CHANCELLOR Raymond S. Bartlett

11/12/2020

DATE



CHANCELLOR Renu Khator

11/12/2020

DATE

University of Houston System
Board of Regents Policy 53.01 Requested Revisions
(Redline)

53 - FACILITIES

53.01 Works of Art

The University of Houston System-wide Public Art Committee shall provide art acquisition services for the administration of the UH System-wide Public Art Collection. The Committee shall be appointed by the Board according to guidelines noted in the University of Houston System-wide Public Art Committee Procedures Manual.

53.01.1 Acquisition of Works of Art

This policy pertains to construction projects in excess of \$1,000,000 involving construction of a new building or the addition of square footage to an existing building or renovation projects greater than \$5,000,000. One percent of the construction costs for new buildings may be allocated for the acquisition of art for the project. Renovation projects greater than \$5,000,000 may be subject to a 0.5% allocation for the acquisition of art for the project. Of the 1% and 0.5% allocated, the Committee may set aside sufficient funds for promotion, public programs, operations, and conservation of the public art collection. The determination of the specific amount to be set aside will be made by the Senior Vice Chancellor for Administration and Finance (or designee) based on recommendations from the Committee. ~~The Changes and updates to the~~ University of Houston System-wide Public Art Committee Procedures Manual, governing the administration of the public art collection, shall be submitted to the ~~Board-Chancellor~~ for ~~review and~~ approval.

Any college, foundation, corporation, or other entity wishing to contribute to new facilities, donate, participate in a joint venture, or otherwise give or create new facilities with any component of the System must include, as part of the project cost, at least one percent of the construction cost for the commissioning, selection, and installation of art. The Board delegates to the

Chancellor or his/her designee the authority to identify and acquire art. All works of art acquired through the process must be recommended by the University of Houston System-wide Public Art Committee in accordance with the University of Houston System-wide Public Art Committee Procedures Manual and approved by the Chancellor.

University of Houston System
Board of Regents Policy 53.01 Requested Revisions
(Final Version)

53 - FACILITIES

53.01 Works of Art

The University of Houston System-wide Public Art Committee shall provide art acquisition services for the administration of the UH System-wide Public Art Collection. The Committee shall be appointed by the Board according to guidelines noted in the University of Houston System-wide Public Art Committee Procedures Manual.

53.01.1 Acquisition of Works of Art

This policy pertains to construction projects in excess of \$1,000,000 involving construction of a new building or the addition of square footage to an existing building or renovation projects greater than \$5,000,000. One percent of the construction costs for new buildings may be allocated for the acquisition of art for the project. Renovation projects greater than \$5,000,000 may be subject to a 0.5% allocation for the acquisition of art for the project. Of the 1% and 0.5% allocated, the Committee may set aside sufficient funds for promotion, public programs, operations, and conservation of the public art collection. The determination of the specific amount to be set aside will be made by the Senior Vice Chancellor for Administration and Finance (or designee) based on recommendations from the Committee. Changes and updates to the University of Houston System-wide Public Art Committee Procedures Manual, governing the administration of the public art collection, shall be submitted to the Chancellor for review and approval.

Any college, foundation, corporation, or other entity wishing to contribute to new facilities, donate, participate in a joint venture, or otherwise give or create new facilities with any component of the System must include, as part of the project cost, at least one percent of the construction cost for the commissioning, selection, and installation of art. The Board delegates to the

Chancellor or his/her designee the authority to identify and acquire art. All works of art acquired through the process must be recommended by the University of Houston System-wide Public Art Committee in accordance with the University of Houston System-wide Public Art Committee Procedures Manual and approved by the Chancellor.

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Facilities, Construction, and Master Planning

ITEM: Approval is requested for the annual review of the University of Houston System Board of Regents Facilities, Construction, and Master Planning Committee Charter

DATE PREVIOUSLY SUBMITTED: August 23, 2018

SUMMARY:

In accordance with the UH System Board of Regents Bylaws, the Facilities, Construction, and Master Planning Committee shall review this charter at least once a year. There are no recommended changes to the charter during this review period.

SUPPORTING DOCUMENTATION: Facilities, Construction, and Master Planning Committee Charter

FISCAL NOTE: None

RECOMMENDATION/ ACTION REQUESTED: Administration recommends approval of this item.

COMPONENT: University of Houston System

 _____ SENIOR VICE CHANCELLOR	Raymond S. Bartlett	11/12/2020 _____ DATE
 _____ CHANCELLOR	Renu Khator	11/12/2020 _____ DATE

Facilities, Construction and Master Planning Committee

Charter: The facilities, construction and master planning committee has oversight of policy and performance related to the physical assets, including reviewing the Chancellor's recommendations on capital priorities. It also provides oversight of physical master plans for each location.

More specifically, the committee shall:

- (a) review and recommend approval of physical and facility master plans as well as capital improvement plans for each UH System site;
- (b) review and recommend approval of the master plan amendments for purchase, lease, sale or development programs for real estate;
- (c) review and recommend delegation of authority to the Chancellor for programs regarding new construction or major repair and rehabilitation of building and facilities when the total cost is equal to or greater than the submittal threshold requiring Texas Higher Education Coordinating Board notification;
- (d) review major reports regarding the use, occupancy and security of facilities and property;
- (e) review and recommend naming of facilities consistent with board policy; and
- (f) review an annual report on the condition of the UH System buildings and facilities, including information concerning deferred maintenance with respect to those buildings and facilities.

The committee is required to perform a review of the charter annually, as required by Board of Regent Bylaws.

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

COMMITTEE: Finance and Administration

ITEM: Approval is requested to delegate authority to the Chancellor to negotiate and execute contracts exceeding \$1 million for the purchase of goods or services, excluding construction contracts, at the University of Houston System.

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY:

Approval is requested for contracts that are expected to exceed \$1 million that are associated with the purchase of goods or services, excluding construction contracts, at the University of Houston System. Board of Regents policy 55.01.01 states that the board must approve any contract, including any amendment, extension, or renewal thereto, that results in the value of the contract exceeding \$1 million throughout the term of the contract.

SUPPORTING

DOCUMENTATION: Summary of Contracts

FISCAL NOTE: See supporting documentation for value of each contract.

RECOMMENDATION/
ACTION REQUESTED: Administration recommends approval of this item

COMPONENT: University of Houston System



SENIOR VICE CHANCELLOR

Raymond S. Bartlett

11/12/2020

DATE



CHANCELLOR

Renu Khator

11/12/2020

DATE

University of Houston System
Summary of Goods and Services Contracts Greater than \$1 Million
F&A Committee - December 2020

Component	Project	Procurement Method	Vendor	Purpose	Term	\$ Amount	Funding Source	HUB Goal	Comments
Goods and Services Contracts Greater than \$1 Million									
UH	Copier Lease and Maintenance	Request for Proposal	TBD	Obtain a master copier lease and maintenance provider for the University of Houston	Initial term: 5 years	Initial Term: \$4,500,000	Various	21.10%	
UH	Hilton College of Hotel and Restaurant Management Food and Beverage Management Services	Request for Proposal	Aramark Educational Services, LLP	Renew the existing contract with Aramark Educational Services, who provides brand required food and beverage services at the Hilton Hotel at the University of Houston, for an additional two years.	Initial term: 5 years Optional term: 1 year, 4 months	Initial Term Revenue: \$7,900,000 Optional Term Revenue: \$1,800,000 Initial Term Expense: \$8,470,000 Optional Term Expense: \$1,930,000	Auxiliary	26.00%	
UH	Captioning Services	Request for Proposal	Capture It Unlimited	Renew the contract with Capture It Unlimited to provide captioning services to students, which is a federally mandated activity.	Initial term: 3 years Optional term: 2 years	Initial Term: \$875,000 Optional Term: \$435,000	Designated	26.00%	Capture It Unlimited is a HUB vendor
UHS	Campus and Networking Connectivity	Request for Proposal	TBD	Obtain contracts with two to five vendors to provide campus connectivity and networking connectivity technology at the best price for the 17 existing connectivity locations plus meet future connectivity needs. Network connectivity provides technology and resources to students, faculty, researchers, and staff.	Initial term: 3 years Optional term: 2 years	Initial Term: \$1,500,000 Optional Term: \$,000,000	Designated State	21.10%	
UH	DMU Extension Program	Revenue Agreement	Dalian Maritime University	Enter into an agreement with Dalian Maritime University for three joint undergraduate degree programs.	Initial term: 8 years	Initial term: \$31,970,000	Designated	N/A	
Real Property and Lease Contracts BOR 55.01.01									
UHCL	CenterPoint Energy Easement	Revenue Agreement	CenterPoint Energy	Provide a permanent easement to CenterPoint Energy for the purpose of the construction, operation, and maintenance of a power pole to serve the proposed Exxon power drop site.	Initial term: in perpetuity	Initial term: to be negotiated	Designated	N/A	The final settlement amount is being negotiated.
UH	City of Houston Sidewalk Easement	Easement Agreement	City of Houston	The University of Houston is constructing a sidewalk in conjunction with the College of Medicine project. The University is granting the easement because the sidewalk is partially outside of the City right of way, and encroaches on University property.	Initial term: in perpetuity	Initial term: \$1	Designated	N/A	

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Finance and Administration

ITEM: Approval is requested to delegate authority to the Chancellor to negotiate and execute construction contracts exceeding \$1 million for projects at the University of Houston System.

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY: Approval is requested for contracts that are expected to exceed \$1 million that are associated with construction projects at the University of Houston System as listed in the supporting documentation. Board of Regents policy 55.01.01 states that the board must approve any contract, including any amendment, extension, or renewal thereto, that results in the value of the contract exceeding \$1 million throughout the term of the contract.

SUPPORTING DOCUMENTATION: Summary of Construction Contracts

FISCAL NOTE: See supporting documentation for value of each contract.

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston



SENIOR VICE CHANCELLOR Raymond S. Bartlett

11/12/2020

DATE



CHANCELLOR Renu Khator

11/12/2020

DATE

University of Houston System
 Summary of Construction Contracts Greater than \$1 Million
 F&A Committee December 2020

Component	Project	Procurement Method	Vendor	Purpose	Amount	Funding Source	HUB Goal	Comments
UHS	Architectural Services CSA	Request for Qualifications	TBD	CSA Contract: Architectural and engineering design services to be performed on an as-needed basis for new construction, minor repair and renovation projects. Contracts available to all campuses.	Per Contract: \$ 1,500,000 Contracts: Up to 10 Maximum Value: \$15,000,000	Various Project Funds	23.70%	Award of maximum of ten vendors at \$1.5m each. Each contract to have a maximum term of 5 years (3 years initial term plus two 1-year renewal options).

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Finance and Administration

ITEM: Approval is requested to modify banking and investment resolutions for the University of Houston System.

DATE PREVIOUSLY SUBMITTED: February 19, 2015

SUMMARY:

Approval is requested to delete Jim McShan from the authorized list of authorized persons who may conduct banking transactions for the System. Mr. McShan retired August 31, 2020. We are also updating the title for Raymond Bartlett and adding Karin Livingston.

**SUPPORTING
DOCUMENTATION:**

Summary of Authorized Persons by Account
Banking Resolutions on file in the Board Office

FISCAL NOTE:

None

**RECOMMENDATION/
ACTION REQUESTED:**

Administration recommends approval of this item

COMPONENT:

University of Houston System



SENIOR VICE CHANCELLOR Raymond S. Bartlett

11/12/2020

DATE



CHANCELLOR Renu Khator

11/12/2020

DATE

University of Houston System
 Authorized Staff with Bank Transaction Authority
 As of December 3, 2020

UH System Component	Account Name	Primary Account Purpose	Signatory & Wire Authority	Title	Comments	
University of Houston	Disbursement	Fund clearing of checks issued by the University of Houston main campus	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change	
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority	
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority	
			Roberta Puryear	Treasurer	Existing authority	
			Dan Corcoran	Assistant Treasurer	Existing authority	
			Fred Burnett	Manager, Treasury Operations	Existing authority	
				Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Credit Card Clearing	Receive credit card payments from merchant activity throughout UH campus	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change	
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority	
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority	
			Roberta Puryear	Treasurer	Existing authority	
			Dan Corcoran	Assistant Treasurer	Existing authority	
			Fred Burnett	Manager, Treasury Operations	Existing authority	
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority	
Operating ⁽¹⁾	Primary depository account for checks, fed wire & ach transactions, etc. at UH	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change		
		Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority		
		Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority		
		Roberta Puryear	Treasurer	Existing authority		
		Dan Corcoran	Assistant Treasurer	Existing authority		
		Fred Burnett	Manager, Treasury Operations	Existing authority		
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority	
UH Clear Lake	Disbursement	Fund clearing of checks issued by UH Clear Lake	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change	
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority	
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority	
			Roberta Puryear	Treasurer	Existing authority	
			Dan Corcoran	Assistant Treasurer	Existing authority	
			Fred Burnett	Manager, Treasury Operations	Existing authority	
				Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Credit Card Clearing	Receive credit card payments from merchant activity at CL campus	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change	
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority	
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority	
			Roberta Puryear	Treasurer	Existing authority	
			Dan Corcoran	Assistant Treasurer	Existing authority	
			Fred Burnett	Manager, Treasury Operations	Existing authority	
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority	
Operating ⁽²⁾	Primary depository account for checks, fed wire & ach transactions, etc. at UHCL	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change		
		Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority		
		Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority		
		Roberta Puryear	Treasurer	Existing authority		
			Dan Corcoran	Assistant Treasurer	Existing authority	

University of Houston System
 Authorized Staff with Bank Transaction Authority
 As of December 3, 2020

UH System Component	Account Name	Primary Account Purpose	Signatory & Wire Authority	Title	Comments
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
UH Downtown	Disbursement	Fund clearing of checks issued by UH Downtown	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Credit Card Clearing	Receive credit card payments from merchant activity throughout UHD campus	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Operating ⁽³⁾	Primary depository account for checks, fed wire & ach transactions, etc. at UHD	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
UH Victoria	Disbursement	Fund clearing of checks issued by UH Victoria	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Operating ⁽⁴⁾	Primary depository account for checks, fed wire & ach transactions, etc. at UHV	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
System Administration	Operating	Primary depository account for checks, fed wire & ach transactions, etc. at System Administration	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim McShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority

University of Houston System
 Authorized Staff with Bank Transaction Authority
 As of December 3, 2020

UH System Component	Account Name	Primary Account Purpose	Signatory & Wire Authority	Title	Comments
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Disbursement	Fund clearing of checks issued by UH System Administration	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim MeShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Payroll Clearing	Fund the issuance of payroll checks for all UH System components	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim MeShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Payroll Direct Deposit	Fund the issuance of direct deposit payroll for all UH System components	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim MeShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Master Concentration	Fund payroll accounts and act as the clearing account for all excess or deficit funds movement from/to UH System operating accounts and the sweep account	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim MeShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority
	Student Loan Repayment	Receipt of federal student loan repayment proceeds for UHS	Raymond Bartlett	Senior Vice Chancellor for Admin. and Finance	Existing authority Title Change
			Jim MeShan	Senior Vice Chancellor for Admin. and Finance	Delete authority
			Karin Livingston	Assoc. Vice Chancellor for Finance	New Authority
			Roberta Puryear	Treasurer	Existing authority
			Dan Corcoran	Assistant Treasurer	Existing authority
			Fred Burnett	Manager, Treasury Operations	Existing authority
			Sheryl L. Smith	Manager, Cash & Bank Administration	Existing authority

(1) In addition to the persons listed above, Andrew J. Startz, Nancy Tran, have authority to endorse checks, drafts and/or payments to UH .

University of Houston System
 Authorized Staff with Bank Transaction Authority
 As of December 3, 2020

UH System Component	Account Name	Primary Account Purpose	Signatory & Wire Authority	Title	Comments
(2) In addition to the persons listed above, Mark Denney and Bobby kregresse have authority to endorse checks, drafts and/or payments to UH Clear Lake.					
(3) In addition to the persons listed above, David Bradley, Christine Ordonez Campos, and Lauren Bellenger have authority to endorse checks, drafts and/or payments to UH Downtown .					
(4) In addition to the persons listed above, Wayne Beran, Erin Goodwin, and Tim Michalski have authority to endorse checks, drafts and/or payments to UH Victoria.					

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

COMMITTEE: Finance and Administration

ITEM: Approval is requested for the annual review of the University of Houston System Board of Regents Finance and Administration Committee Charter

DATE PREVIOUSLY SUBMITTED: August 23, 2018

SUMMARY:

In accordance with the UH System Board of Regents Bylaws, the Finance and Administration Committee shall review this charter at least once a year. There are no recommended changes to the charter during this review period.

SUPPORTING DOCUMENTATION: Finance and Administration Committee Charter

FISCAL NOTE: None

RECOMMENDATION/ACTION REQUESTED: Administration recommends approval of this item.

COMPONENT: University of Houston System



SENIOR VICE CHANCELLOR

Raymond S. Bartlett

11/12/2020

DATE



CHANCELLOR

Renu Khator

11/12/2020

DATE

Finance and Administration Committee

Charter: The finance and administration committee has oversight of budget, finance, and business operations policy and performance, including reviewing the Chancellor's recommendations on annual budgets and tuition and fees.

More specifically, the committee shall:

- (a) review and recommend approval of fiscal policies and major financial plans including annual operating budgets;
- (b) review and recommend approval of tuition and fees;
- (c) review and recommend delegation of authority to the Chancellor for banking agreements;
- (d) review major financial and management reports;
- (e) review and recommend delegation of authority to the Chancellor for major financial contracts and expenditures (single procurements greater than \$1 million annually);
- (f) review and recommend delegation of authority to the Chancellor for land acquisition by purchase or gift;
- (g) review and recommend delegation of authority to the Chancellor for new construction or major repair and rehabilitation of building and facilities when the total cost is equal to or greater than the submittal threshold requiring Texas Higher Education Coordinating Board notification; and
- (h) review and recommend approval for bond issuance.

The committee is required to perform a review of the charter annually, as required by Board of Regent Bylaws.

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

ITEM: University of Houston Strategic Plan

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY:

Last fall the University of Houston launched its strategic planning initiative. A draft strategic plan has been developed after obtaining ideas and input from faculty, staff, students, and external stakeholders.

SUPPORTING DOCUMENTATION: Draft Strategic Plan

FISCAL NOTE: N/A

RECOMMENDATION/
ACTION REQUESTED: Approval

COMPONENT: University of Houston


CHANCELLOR

Renu Khator


DATE

UNIVERSITY OF HOUSTON STRATEGIC PLAN

MISSION

Connecting potential with opportunity

The University of Houston draws strength from its diversity to transform lives and communities through education, research, service and innovation in a real world setting. UH is an engine for discovery, conversation and change that informs and leads local, state, national and global partnerships.

VISION

Building a Top 50 Public University

VALUES

- *Diversity, Inclusion and Freedom of Expression: We value our people and embrace our differences as we remove barriers, engage in free and open discourse and provide resources to think critically and make us stronger.*
- *Innovation: We infuse innovation into everything--our culture, curriculum and campus workplace.*
- *Collaboration: We build strength through creative innovation, entrepreneurship, research, intellectual curiosity and partnerships in everything we do.*
- *Resilience: We change and adapt, transform and are creative to meet the ever-changing needs of the University and society.*

UNIVERSITY OF HOUSTON STRATEGIC PLAN

GOALS

GOAL 1:

Student Success: Provide Top Tier, Inclusive Educational Experience to Diverse Learners

1. Provide affordable access to diverse students who are eager to prepare for 21st century global careers.
2. Build a dynamic and engaging student learning experience using innovative modalities.
3. Offer dynamic programs with experiential learning and innovation that prepare students to excel in their chosen fields.
4. Provide highest quality professional and graduate degrees and prepare students to lead.
5. Provide high quality programs that help working professionals to upgrade their skills and contribute to creating a robust economy and a just society.

Tangible Milestones:

1. University of Houston will rank among Top 75 and then among Top 50 public universities in the nation in USNWR ranking. (This ranking is based on graduation rate, affordability, social mobility and student-related institutional investment among other measures.)
2. More than 50% freshmen will continue to come from first generation and under-served minorities.
3. Number of ranked graduate programs will double and ranked programs will enhance their ranking.
4. UH will lead the nation in delivering certificates, modules and micro credentials for working professionals.

GOAL 2:

National Competitiveness: Build a Research Powerhouse to Add to Regional Intellectual Prowess

1. Build research and innovation capacity in areas of Houston's strength: energy, infrastructure, health, data sciences and the arts.
2. Create sustainable solutions for urban challenges on local, national and world scales.
3. Build infrastructure and networks to promote convergent interdisciplinary and inter institutional research.
4. Gain preeminence in the arts, humanities and creative expression.
5. Support faculty and staff to compete in honors and recognitions at the highest level.
6. Build an immersive culture of research and innovation for all students.

UNIVERSITY OF HOUSTON STRATEGIC PLAN

Tangible Milestones

1. University of Houston will be known as the Energy University.
2. UH Health would be the primary contributor to reducing health disparities in the community.
3. UH Arts will double its public engagement and visibility.
4. ASPIRE Institutes will be functional.
5. Twice as many faculty will be getting national honors and competitive grants.
6. UH will build an Innovation Complex to expose students to the ethos of innovation and entrepreneurship across all disciplines.

GOAL 3:

Social Responsibility: Help Build Capacity in our Community

1. Build a coalition of medical and health professionals, health care providers and students with community members to achieve health equity.
2. Strengthen our partnership with Historic Third Ward and city of Houston.
3. Infuse and support the culture of volunteerism among students, staff and faculty.
4. Bolster efforts by our faculty, staff and students to seek social justice and racial equity.
5. Support freedom of expression and diversity of views.

Tangible Milestones

1. There will be a Population Health Complex, and UH will be seen nationally as a place for delivery of interdisciplinary population health research and practice.
2. The community in Third Ward will feel supported by the University. UH will operate or will partner in operating a clinic in Third Ward.
3. UH will be known as the model institution for exposing students to diverse ideas and seeking social justice.

GOAL 4:

Nationally Relevant Athletics: Build a Competitive Athletics Program

1. Pursue the best national platform for student athletes to compete.
2. Prepare student athletes for academic and lifelong success.
3. Build a sustainable funding base to support athletics.

Tangible Milestones

1. Athletics finances, including subsidy, will resemble national average.
2. Our student athletes will lead the conference in graduation rate and APR.
3. Student athletes and boosters will express satisfaction.

UNIVERSITY OF HOUSTON STRATEGIC PLAN

GOAL 5:

Competitive Funding: Build a Sustainable Funding Base to Support Vision and Goals

1. Seek legislative support to equitably fund education for our diverse students.
2. Enhance targeted fundraising.
3. Support our alumni in their goals and engage their support in helping the University achieve its goals.

Tangible Milestones

1. UH will have equitable funding from the legislature.
2. UH Endowment will top \$1 billion.
3. At least 15% of alumni will be actively engaged with the University.

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

ITEM: Presentation of the University of Houston System Cybersecurity Report

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY:

Dr. Dennis Fouty, Associate Vice Chancellor for Information Technology and Chief Information Officer, will present a report on Cybersecurity for the University of Houston System.

SUPPORTING DOCUMENTATION: Presentation on Cybersecurity Report

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Information

COMPONENT: University of Houston System



CHANCELLOR

Renu Khator


DATE

UHS Board of Regents Cybersecurity Briefing

Dr. Dennis Fouty

Associate Vice President and Chief Information Officer

December 3, 2020

Pandemic Cybersecurity Threat Landscape - Global

1. Transition from on premise to remote workforce
2. Increased use of cloud-based resources
3. Heavy utilization of collaboration/video applications
4. Surge of scams exploiting COVID-19

For most organizations, the Pandemic represented a *fundamental shift* in approach for enterprise IT Operations.

Pandemic Cybersecurity Threat Landscape - UH

1. Transition from on campus to remote workforce
2. Increased use of cloud-based resources
3. Heavy utilization of collaboration/video applications
4. Surge of scams exploiting COVID-19

For UHS, the Pandemic only represented a change in the magnitude of these items - the *foundation was already in place* within UHS IT Operations.

Pandemic By the Numbers (UH)

*March-October

- Network Utilization
 - On campus - <2.5%
 - Internet Peak Remote – 5%
- Number of Collaboration/Remote Sessions
 - Microsoft Teams – 87,948
 - Zoom – 36,877
- Number of successful authentications – 153,221,799

Threat: Remote Workforce and UH

- Nothing new for UHS
 - UHS has been a remote work & Bring Your Own Device (BYOD) org. for years
 - Protections center around the concept of **security of the data at its source**
 - Regardless of the access location (on-campus or remote work)
 - Regardless of the device accessing the data
 - **No Level 1 IT security incidents have been unique to a remote work environment or directly attributable to the Pandemic**
- UH Business Continuity Plans incorporate dependence on ability for remote work
- BC Plans are routinely tested, refined and utilized
 - Example: Not previously on the scale or duration of the Pandemic, weather events have repeatedly demonstrated UHS remote work capabilities.

Threat: Increased Use of Cloud Based Resources

- UH System implementations were designed with remote work considerations
 - Critical enterprise systems are already web-based (i.e., PeopleSoft)
 - Office 365 environment (E-mail, SharePoint, OneDrive) hosted in the cloud
 - VPN allows access to campus-based systems. Licenses were increased to ensure ability to handle Pandemic volume.
- Robust Application Security Assessment process in place for use of all 3rd party services hosting UHS data
 - Collaborative effort with OGC and campus departments
 - Expedited reviews performed to address urgent Pandemic (virtual) needs.
 - Examples: QLess, Schoology, GoReact, Eventbrite

Threat Examples: Visibility of 3rd Party Data Breaches

- Not breaches of UHS Information Resources, but instances where UHS information was hosted by breached companies (data typically several years old, not current). Examples:
 - Blackbaud (Donor Management Services)
 - ProctorU (Online Exam Proctoring)
- Why are the companies notifying people now?
 - New GDPR (EU) & California notification requirements for select populations
 - Significant fines for companies that do not comply
- What is UHS to do? OGC determines specific actions based on the situation.
 - Maintain robust controls/contract requirements for UHS data shared with 3rd party providers
 - If applicable, notify UHS users of potential exposure of their information

Threat: Heavy Utilization of Collaboration/Video Applications

Official licenses available for Microsoft Teams, Skype and Zoom

- UHS networks already monitored for connectivity and security controls
- Pandemic Action: Proactive engagement with internal and external Subject Matter Experts (SMEs) to provide guidance for secure use and best practices
- Collaboration with Dean of Students, UHS Police departments and other campus stakeholders to quickly and thoroughly investigate and respond to all reported incidents and faculty concerns. Pandemic action: Implemented documented procedures for incidents.
- Special accommodations for specific compliance requirements (i.e. HIPAA)

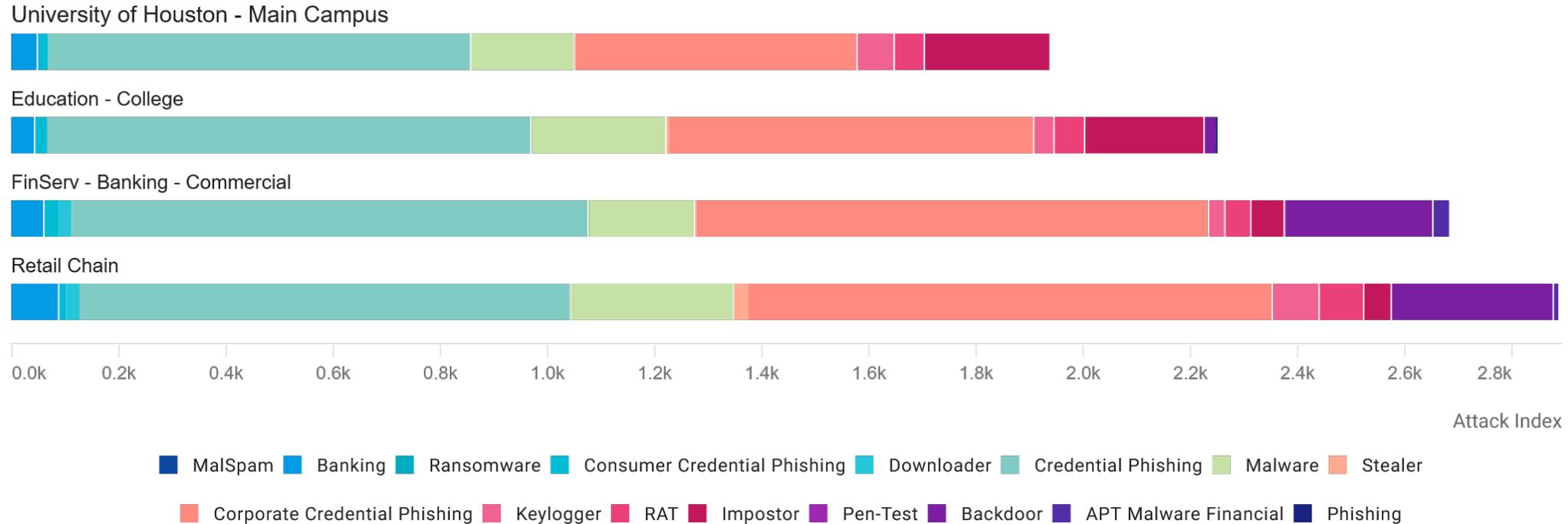
Threat: Surge of Scams Exploiting COVID-19

- Criminals are taking advantage of Pandemic uncertainty and dynamic environments
- Most used threat vector = Email

Specific UHS Protections:

- ✓ Technology For Email Infrastructure - Proofpoint
- ✓ Technology For UHS Accounts – Duo 2-Factor Authentication (2FA)
- ✓ UHS Awareness efforts – Information posted on campus COVID-19 Information sites, Email notifications distributed, Media interviews with UHS SMEs (print and video)
- ✓ Robust Incident Automated Alerts and Response Procedures

Email Threat Vector – UH



Graph time frame is August 1 – October 31, 2020.

For September 2020: Total messages received for UHS = 114,984,659; Total blocked/malicious messages = 74,469,970 (65%)

Threat: Surge of Scams Exploiting COVID-19 – UHS Protections

Enhanced Technology Protections for Email Infrastructure:

- System-wide Implementation of ProofPoint
 - Ability to stop scams (impersonations, gift card purchases and student job offers) from reaching user mailboxes
 - No visibility previously into these scams unless manually user-reported
 - Additional protections specifically for UHS VIPs
 - New ability to identify and retrieve messages weaponized (made malicious) after delivery to user mailbox
 - Easy mechanism provided for users to report phishing messages for automated review, blocking and removal (PhishAlarm)

Surge of Scams Exploiting COVID-19 – UHS Protections

Technology for Protection of UHS Accounts: Implementation of 2FA (DUO)

- Over 68,000 successful UH enrollments (92,000 UHS enrollments)
- Implementation provides visibility on campuses where there was little before
- Provides ability for users to protect themselves against unauthorized account access attempts
- Decreases the potential for UHS data loss
- Increases overall user productivity - fewer accounts being disabled due to compromise

External Evaluations of UHS Information Security Program

As a key UHS Risk, extensive audits of the UHS Cybersecurity Program have been conducted in the past 2 years.

These include:

- Texas Department of Information Resources (DIR) Penetration Tests (Annual)
 - Department of Homeland Security (DHS) Vulnerability Scanning (weekly)
 - Multi-State Information Sharing and Analysis Center (MS-ISAC) Scanning (ongoing)
 - Texas State Auditor's Office (SAO) and Federal Agency Audits
 - Outsourced Audits – Schneider Downs (SD)
 - Milestones: Identification and Completion of all items from IA/SD Cybersecurity-related Audits
 - ❖ UHS Cybersecurity Audit – 2018
 - 29 Action Items - Included: UHS Information Security Program Centralization
 - ❖ UHS Vulnerability Management/Penetration Test Audit – Fall 2019
 - 75 Action Items - Included: UHS 2-Factor Authentication & ProofPoint Email Protections
 - All action items addressed even during disruptions caused by Pandemic
- No currently outstanding Audit Items!

What Comes Next?

Current areas of attention -

- Standardization/enhancement of protections across UHS campuses
- Enhancement of security assessments of 3rd party service/application providers
- Specific focus on Research, Intellectual Property and Medical protections (with OGC, DOR, COM)



Thank You!



**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

ITEM: Dismissal of a Tenured Faculty Member

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY:

In accord with Board of Regents policy 21.07 – Faculty Dismissal, and the provisions of the University of Houston Faculty Handbook, dismissal of a tenured faculty member must be presented to the Board for action.

As per Faculty Handbook procedures, the Office of the Provost filed a Statement of Charges on February 22, 2019 regarding this matter. An *ad hoc* Faculty Hearing Committee was appointed, which held pre-hearing meetings with the parties and reviewed documentary evidence submitted. The Committee held a full and open hearing via Zoom where both sides had an opportunity to present evidence and arguments. Based upon the evidence and arguments, the Faculty Committee issued its report and recommendations, unanimously finding that there exists adequate cause to dismiss the faculty member for substantial and manifest neglect of professional or academic responsibilities. Based upon her independent review and the advisory recommendation of the Faculty Committee, the Provost recommended revocation and dismissal of the faculty member. After reviewing the matter independently, the Chancellor concurs and recommends that the Board of Regents approve dismissal for cause for substantial and manifest neglect of professional and academic duties.

**SUPPORTING
DOCUMENTATION:**

1. Written Report and Recommendation of *ad hoc* Faculty Hearing Committee
2. Written Recommendation of the Provost
3. Written Recommendation of the Chancellor

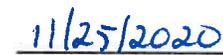
FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Approval

COMPONENT: University of Houston System


CHANCELLOR

Renu Khator


DATE

Office of the Senior Vice Chancellor for Academic Affairs,
University of Houston System

Office of the Senior Vice President for Academic Affairs and Provost
University of Houston

Professor Lawrence Wheeler
924 Herkimer Street
Houston, TX 77008-6742

Feb 22, 2019

Dear Professor Wheeler:

Please be advised that the written statement of charges against you detailed below is being filed contemporaneously with the University Faculty Grievance Committee. These charges seek your dismissal for adequate cause pursuant to the "Dismissal of Faculty Members with Tenure and Special or Probationary Appointments before the End of the Specified Term of Appointment" policy as set forth in the 2016 University of Houston Faculty Handbook and in accordance with University of Houston System (UHS) Board of Regents Policy 21.07.

The charges against you seeking "dismissal for adequate cause" have been filed on the grounds of "substantial and manifest neglect of professional or academic responsibilities" associated with your actions surrounding your teaching assignments and responsibilities in the Moores School of Music. The decision to begin the process to terminate your employment for adequate cause was made based on your unwillingness to accept your duly assigned fall 2018 semester teaching assignment, your outright refusal to accept your spring 2019 semester teaching assignment, and your repeated failure to comply with the terms of the University of Houston Faculty Workload Policy. The current Faculty Workload Policy is encompassed in M.A.P.P. 12.05.01. The policy prior to M.A.P.P. 12.05.01 was contained in the 2016 UH Faculty Handbook, and was substantially the same regarding workload requirements, including the authority of department chairs or directors to make teaching assignments.

As articulated in the University of Houston Faculty Handbook, initiation of dismissal proceedings involving a tenured faculty member at the University of Houston must satisfy certain criteria and shall be preceded by a written statement of charges. These charges are to be communicated in writing to both you and the UH Faculty Grievance Committee, with a copy to the Dean of the College.

The written statement of charges against you is detailed below, including the justification for dismissal, specific charges and additional supporting documentation. The statement of charges details the basis for the University's decision to begin formal dismissal proceedings against you as a tenured associate professor in the Moores School of Music at the University of Houston. A copy of this correspondence has been contemporaneously filed with the UH Faculty Grievance Committee and shall constitute the charges against you. In addition, a copy of this letter is being provided to the Dean of the College of Arts.

Office of the Senior Vice Chancellor for Academic Affairs,
University of Houston System

Office of the Senior Vice President for Academic Affairs and Provost
University of Houston

STATEMENT OF CHARGES

Justification for Dismissal Proceedings

Currently, Professor Wheeler is a tenured associate professor in the Moores School of Music where he is assigned to teach three (3) undergraduate classes per semester as part of his annual faculty workload. In addition to his teaching responsibilities, as a tenured faculty member the remainder of Professor Wheeler's annual faculty workload is expected to involve research and scholarly activities and service to the university and/or profession.

The University of Houston seeks to dismiss Professor Lawrence Wheeler from his tenured, associate professor position in the Moores School of Music. Justification for this dismissal is based upon "*adequate cause*" as defined in UHS Board of Regents Policy 21.07 and the 2016 University of Houston's Faculty Handbook. "*Adequate cause*" is further defined as "*grounds related to substantial and manifest neglect of professional or academic responsibilities*".

Specifically, it is charged that Professor Wheeler has engaged in a highly unprofessional pattern of behavior regarding his fall 2018 and spring 2019 semester teaching assignments which constitute a substantial and manifest neglect of professional or academic responsibilities, and which ultimately led to significant disruption not only to the students enrolled in these classes, but also the administrative operations of his home department. Professor Wheeler has refused outright to accept the specific teaching responsibilities for MUSI 1300, as assigned to him by his director as provided for under the University of Houston Faculty Workload Policy, thereby refusing to fulfill the academic and professional responsibilities expected of a UH faculty member. Professor Wheeler has taught MUSI 1300 before on multiple occasions. Professor Wheeler is well aware that department chairs or equivalent unit administrators are given the authority to make teaching and instructional assignments in order to meet the student enrollment needs and research goals of the unit and individual faculty members do not have the authority to disregard teaching and instructional assignments given to them.

Professor Wheeler has received numerous warnings regarding necessary repercussions for his refusal to teach MUSI 1300. He has been notified that it is the position of the Office of the Provost that a faculty member's refusal to satisfy her/his teaching and instructional assignment would constitute adequate cause for termination. Specifically, the refusal to satisfy reasonable and appropriate workload assignments constitutes grounds related to substantial and manifest neglect of professional or academic responsibilities.

These charges arise from Professor Wheeler's continued claims that his director does not have the authority under the terms of the University of Houston faculty workload policy to assign specific classes that he will be required to teach:

- Professor Wheeler continually refused to accept his fall 2018 teaching assignment (a decision he later reversed less than 24 hours prior to the beginning of his class) by refusing to teach MUSI 1300 as assigned, which lead to

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disruption not only for students enrolled in his classes, but also significant disruption within his home department. Because of Professor Wheeler's refusal to teach MUSI 1300, the Moores School of Music was required not only to hire replacement instructors but had to then reassign them after Professor Wheeler reversed his decision to refuse his fall 2018 teaching assignment 24 hours prior to the beginning of the semester.

- Professor Wheeler refused outright in spring 2019 to teach MUSI 1300, one (1) of the three (3) classes that he was originally assigned by his director, which again necessitated his home department to assign teaching responsibilities for his class to another instructor after the semester had begun.
- Professor Wheeler has refused to accept his teaching assignment for the fall 2019 semester.

Specific Charges

As laid out below, the following specific charges are filed against Professor Lawrence Wheeler. Written evidence to support the substance of these charges can be found in the Appendix listed immediately after each charge and appearing at the end of this document:

(1) After initially refusing to commit to teaching his assigned fall 2018 classes even after being contacted on numerous occasions concerning this matter by the Office of the Provost, Professor Wheeler waited until less than 24 hours prior to the first day of classes to finally accept his fall 2018 teaching assignment. His actions directly resulted in significant disruption not only to the students enrolled in these classes, including confusion concerning who the assigned class instructor was and which class textbook was required, but also to the administrative operations of his home department which not only had to hire replacement instructors at short notice but subsequently had to reassign them after Professor Wheeler reversed his decision to refuse his fall 2018 teaching assignment (Appendix 1).

(2) After refusing in writing to accept his spring 2019 teaching assignment of three (3) undergraduate classes assigned to him by his director, Professor Wheeler instead unilaterally decided to teach two (2) of the three (3) classes that he was originally assigned to by his director. His action again directly caused significant disruption to both the students enrolled in these classes and the administrative operations of his home department which was forced to reassign an instructor in order to cover Professor Wheeler's unexcused refusal to teach the assigned class (Appendix 2).

(3) Despite being presented on multiple occasions with evidence to the contrary including direct communications to this effect from the Office of the Provost, Professor Wheeler has tried to justify his improper actions and unprofessional behavior by disputing the authority of the University of Houston Faculty Workload Policy (MAPP 12.05.01, and its predecessor in the 2016 University of Houston Faculty Handbook) as the university policy governing the appropriate assignment of faculty workload, and more specifically by disputing the authority of his director to assign specific

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teaching assignments (Appendices 1, 2, and 3). To this end, Professor Wheeler has refused to accept his teaching assignment for the fall 2019 semester (Appendix 3).

Based on the specific charges and supporting evidence provided in this document and its appendices, the Office of the Provost recommends that the University of Houston begin the process of terminating your employment as a tenured associate professor in the Moores School of Music in the McGovern College of the Arts.

Yours Sincerely



Mark S.F. Clarke, Ph.D.

Associate Provost
Faculty Development and Faculty Affairs

Supporting Documentation

Appendix 1 – Emails relating to Fall 2018 Workload Assignment

Appendix 2 – Emails relating to Spring 2019 Workload Assignment

Appendix 3 – Emails relating to Fall 2019 Workload Assignment

M.A.P.P. 12.05.01 (University of Houston Faculty Workload Policy)

University of Houston System (UHS) Board of Regents Policy 21.07

University of Houston Faculty Handbook excerpts (2016 edition)

- Pp. 86 – 90 Faculty Dismissal
- Pp. 106-115 Academic Workload

Cc: UH Faculty Grievance Committee

Dean, College of The Arts



UNIVERSITY OF HOUSTON SYSTEM
UNIVERSITY OF HOUSTON

Renu Khator
Chancellor and President

MEMORANDUM

DATE: November 10, 2020

TO: Tillman Fertitta
Chair, University of Houston System Board of Regents

FROM: Renu Khator *Renu Khator*

SUBJECT: **Dismissal for Cause Recommendation Concerning Associate Professor Lawrence Wheeler**

In accord with the provisions of the UH Faculty Handbook, the purpose of this memo is to inform you of my recommendation regarding the dismissal proceedings and recommendations to dismiss Professor Lawrence Wheeler for adequate cause. *See Attachment 1 – Dismissal provisions from the 2016 UH Faculty Handbook.* Professor Wheeler is an Associate Professor in the Moores School of Music. The detailed procedures of the Faculty Handbook have been followed with regard to the dismissal proceedings for Professor Wheeler, which were initiated on February 22, 2019 with the filing of a written statement of charges by Associate Provost Mark S.F. Clarke.

In keeping with the Faculty Handbook, an *ad hoc* Tribunal Committee of Faculty members held a full and open hearing via Zoom where both sides had an opportunity to present evidence and arguments. Based on the information and arguments presented, the Tribunal Committee unanimously recommended that Professor Wheeler should be dismissed for cause. *See Attachment 2 – Faculty Hearing Committee recommendation (Sept. 18, 2020).* The Committee's decision was reviewed by Provost Paula Myrick Short, who agrees with the recommendation. *See Attachment 3 – Provost's recommendation (Oct. 27, 2020).* After reviewing this matter independently, my recommendation to the Board is to dismiss Professor Wheeler for adequate cause.

The next step in the process under the Faculty Handbook is for the Board to "provide opportunity for statement, oral or written or both, by the faculty member and the person initiating the dismissal proceedings or by their representative." *See Attachment 1 – 2016 Faculty Handbook, p. 89(C).* This item will be placed on the Agenda for the Board meeting on December 3, 2020. In accord with the procedures in the Faculty Handbook, you will be provided with the record of the

committee hearing for review in advance of the Board meeting. The Board is required to either sustain the hearing committee's decision or inform me of any specific objections by the Board for reconsideration by the committee.

Please do not hesitate to contact me if you have any questions. For procedural questions, please contact our VC/VP for Legal Affairs and General Counsel, Dona H. Cornell.

Attachments:

- 1 – Dismissal provisions from the 2016 UH Faculty Handbook
- 2 – Faculty Hearing Committee recommendation (Sept. 18, 2020)
- 3 – Provost recommendation (Oct. 27, 2020)

cc: Professor Lawrence Wheeler
Associate Provost Mark S.F. Clarke

Faculty Dismissal

(UHS Board of Regents [Policy 21.07](#))

Dismissal is the termination of employment of a tenured faculty member or of a probationary or non-tenured faculty member before the annual term of appointment has expired.

Each component university through its faculty governance processes shall develop policies and procedures pertaining to dismissal of faculty members. Such policies must be consistent with those specified herein and must be approved by the Chancellor/President.

Dismissal of a faculty member requires Board action.

Note: Recommendations for faculty dismissal must first be reviewed by the Office of the Provost, which in turn, will submit to the Chancellor/President.

Assurances

University policies and procedures for faculty dismissals must ensure that:

- A. The rights of the individual to due process are protected;
- B. Dismissal shall not violate the constitutionally protected rights of an individual and shall not be used to restrain faculty members in their exercise of academic freedom;
- C. Dismissal procedures provide for timely written notice of impending dismissal that specifies the grounds on which dismissal is sought;
- D. A faculty member notified of impending dismissal has the option of a hearing before an impartial faculty tribunal designated by the established procedures of the university; and
- E. The burden of proof in dismissal proceedings rests with the university.

Justifications

Dismissal may be justified by one or more of the following:

- A. **Adequate Cause.** Termination for adequate cause may include:
 1. grounds related to dishonesty, or to demonstrated professional incompetence in teaching or research;
 2. grounds related to substantial and manifest neglect of professional or academic responsibilities; or
 3. grounds related to actions that would result in a general condemnation of the faculty member by the U.S. academic community.
- B. **Financial Exigency.** Termination of employment may be justified by a demonstrated and *bona fide* imminent financial crisis that threatens the continuation of the academic programs in their present form, and that cannot be alleviated by other means. The university will develop criteria and procedures to determine whether a state of financial exigency exists. Standards so developed will include provisions for faculty involvement in the determination and for a minimum twelve-month notice of termination of appointment to tenured faculty. Untenured faculty will be given notice consistent with the university's non-reappointment guidelines.

(See pages 91-93 for the University's Financial Exigency Procedure.)

- C. **Medical Reasons.** Termination of employment may be justified by clear and convincing medical evidence that the faculty member cannot fulfill professional and academic obligations, or the terms and conditions of appointment, with reasonable accommodation.
- D. **Discontinuance of Academic Programs.** Termination of employment may be based on the discontinuance of an academic program reflecting long-range judgments concerning the educational mission of the university. Tenured faculty will be given notice eighteen months prior to termination of employment due to discontinuance of academic programs. (*See pages 93-95.*) Untenured faculty will be given notice consistent with university non-reappointment guidelines. (*See page 44.*)

In the event of dismissal of faculty by reason of financial exigency or discontinuation of academic programs, the university's administration will make every reasonable effort to place affected faculty in other positions. A faculty member with tenure will not be dismissed in favor of retaining a faculty member without tenure except in extraordinary circumstances where a distortion of the academic program would otherwise result.

Dismissal of Faculty Members with Tenure and Special or Probationary Appointments before the End of the Specified Term of Appointment

In conformance with UHS Board of Regents [Policy 21.07](#), the termination or dismissal of a faculty member with tenure, or the dismissal of a non-tenured faculty member with a special or probationary appointment before the end of the specified term of appointment, may be effected only for adequate cause or for medical reasons. Tenured or non-tenured faculty may be dismissed in the case of circumstances due to *bona fide* financial exigency or to discontinuance of a program or academic department. (*See page 42* for the definition of *term of appointment*.) In all cases, the faculty member shall be informed in writing by the Chancellor/President or his/her designee of the basis for the termination or dismissal.

Dismissal for Cause

Adequate cause may include those grounds indicated above, *page 86*. Dismissal shall not be used to restrain faculty members in their exercise of academic freedom or other legal rights.

When the decision for termination is based upon adequate cause, dismissal of the faculty member shall be preceded by a written statement of charges, framed with reasonable particularity, from the Chancellor/President or his/her designee, and by the filing of the charges with the Grievance Committee and the notification in writing to the faculty member against whom the charges have been filed. A copy of such written charges shall be filed with the dean of the college or school of the faculty member. The remainder of the dismissal proceedings shall be preceded by discussions between the faculty member and appropriate college dean and department chair looking toward a mutual settlement, and an informal inquiry by the Grievance Committee, which may, failing to effect a resolution, advise the Chancellor/President and the Provost whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding.

If the Chancellor/President or his/her designee determines to undertake dismissal proceedings, the proceedings shall be governed by the provisions for Dismissal Hearing Procedures *below*.

Dismissal Hearing Procedures

If the Provost determines to undertake dismissal proceedings, the proceedings shall be governed by the following provisions:

- A. The faculty member shall have the right to a hearing before an *ad hoc* faculty hearing committee appointed by, but not from, the Grievance Committee in consultation with the Chancellor/President. Service of notice of the hearing with the specific charges in writing shall be made at least 20 working days prior to the hearing.
- B. Members deemed disqualified for bias or interest may remove themselves from the case, or may be removed at the request of either party, disqualification to be determined by the remaining members of the committee.
- C. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges against him/her, or asserts that the charges do not support a finding of adequate cause, the hearing committee shall evaluate all available evidence and rest its recommendation upon the evidence in the record.
- D. The hearing committee may hold joint pre-hearing meetings with the parties in order to simplify the issues, effect stipulations of facts, provide for the exchange of documentary or other information, and achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.
- E. The hearing shall be public or private, in accordance with the faculty member's wishes. If the faculty member declines to express a preference, the committee shall exercise its judgment as to whether the hearing should be public or private.
- F. The burden of proof that adequate cause for termination or dismissal exists rests with the university.
- G. During the proceedings the faculty member shall be permitted to have an academic adviser or counsel of his/her own choice. At the request of either party or the hearing committee, a representative of an appropriate educational association shall be permitted to attend the proceedings as an observer.
- H. An accurate record of the hearing or hearings shall be taken and the official transcript shall be made available to the faculty member, without cost, at the faculty member's request.
- I. The hearing committee shall grant adjournments to enable either party to investigate evidence about which a valid claim of surprise is made.
- J. The faculty member shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration shall cooperate with the hearing committee in securing witnesses and in making available documentary and other evidence.
- K. The faculty member and the dean, department chair, and university officers involved with the dismissal proceedings shall have the right to confront and cross-examine all witnesses. Where those witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee shall identify the witnesses, disclose their statements, and if possible provide for interrogatories.

- L. In the hearing of charges of professional incompetence, the testimony shall include that of qualified faculty members from this or other institutions of higher education.
- M. The hearing committee shall not be bound by strict rules of legal evidence, and may admit any evidence that is of probative value in determining the issues involved. Every reasonable effort shall be made to obtain the most reliable evidence available.
- N. The findings of fact and the decision of the committee shall be based solely on the hearing record.
- O. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the proceedings by either the faculty member or administrative officers shall be avoided as far as possible until the proceedings have been completed.
- P. Pending a final decision by the hearing committee, the faculty member shall be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to himself/herself or others is threatened by his/her continuance. Before suspending a faculty member, and pending an ultimate determination of his/her status through the institution's hearing procedures, the administration shall consult with the Grievance Committee concerning the propriety, the length, and other conditions of the suspension. A suspension that is intended to be final is a dismissal and shall be treated as such. Except in extreme circumstances, the salary of the faculty member shall be continued during the period of suspension.
- Q. If the hearing committee concludes that the case for dismissal has not been justified by the evidence in the record, it shall so report to the Chancellor/President and the Provost. If the committee concludes that the case for dismissal has been established, it shall recommend to the Chancellor/President either dismissal or, if it believes it more appropriate, a lesser academic penalty. In the latter case, it shall provide supporting reasons for its judgment. The Chancellor/President makes a recommendation to the Board of Regents which makes the final decision.

Disposition of Recommendations of Dismissal Hearing Committee

On completion of the hearing committee's work:

- A. The Chancellor/President, the Provost, and the faculty member shall be notified in writing of the decision of the ad hoc hearing committee and shall be given a copy of the record of the hearing.
- B. After studying the report and recommendation by the Provost, the Chancellor/President shall submit his/her recommendation to the Board of Regents. If the recommendation differs from that of the committee, the Chancellor/President shall state his/her reasons for disagreement in writing to the hearing committee and to the faculty member, and shall provide an opportunity for response before transmitting the case to the Board.
- C. If dismissal or other severe sanction is recommended, the Chancellor/President shall, on request of the faculty member, transmit the record of the case to the Board of Regents. The review shall be based on the record of the committee hearing, and the Board shall provide opportunity for statements, oral or written or both, by the faculty member and the person initiating the dismissal proceedings or by their representative.

- D. Either the decision of the hearing committee shall be sustained by the Board, or the proceeding shall be returned to the Chancellor/President, with specific objections, for reconsideration by the committee. The committee shall reconsider, taking into account the stated objections and receiving new evidence if necessary. The Chancellor/President shall then forward the results of the reconsideration, along with his/her own recommendation to the Board of Regents, who, after study of the reconsideration, shall make the final decision.

Termination Proceedings

If the appointment is terminated for any of the reasons (*see Justifications, pages 86-87*) defined above, the faculty member shall receive salary until the effective date of termination, except in the case where salary has been discontinued during suspension. On the recommendation of the faculty hearing committee and review by the Provost, the Chancellor/President, in determining the date of termination, may take into account the length and quality of service of the faculty member. Notice of the date of termination shall normally be given in accordance with the following schedule: at least three months, if the final decision is reached by March 1 (or three months prior to the expiration) of the first year of probationary service; at least six months, if the decision is reached after six months of probationary service, or if the faculty member has tenure. This provision for terminal notice of salary need not apply in the event there has been a finding that the conduct which justified dismissal involved dishonesty in teaching or research, neglect of duty, or unfitness of the faculty member in his/her professional capacity as a teacher or researcher, in which case termination may be immediate and requires no prior notice.

Dismissal for Medical Reasons

Termination of a tenured appointment or of a non-tenured or special appointment before the end of the period of appointment for medical reasons shall be based upon clear and convincing evidence. The decision to terminate shall be reached only after there has been appropriate consultation and the faculty member or his/her representative has been informed of the basis of the proposed action, and has been afforded an opportunity to present his/her position and to respond to the evidence. If the faculty member so requests, the evidence shall be reviewed by the Grievance Committee before a final decision is made by the Board of Regents on the recommendation of the Chancellor/President.

Dismissal for Reasons of Financial Exigency or Discontinuance of a Program

When the decision for termination is based upon *bona fide* financial exigency or discontinuance of a program or academic department, faculty members shall be able to have the issues reviewed by the Grievance Committee, with ultimate review of all controverted issues by the Chancellor/President. In every case of financial exigency or discontinuance of a program or academic department, the faculty member concerned shall be given notice as prescribed in paragraph H (*page 92*) or paragraph G (*page 94*). Before terminating an appointment because of the discontinuance of a program or academic department, the University of Houston shall make every effort to place affected faculty members in other suitable positions.

If the faculty member's appointment is terminated before the end of the period of appointment either because of financial exigency or because of the discontinuance of an academic department, the released faculty member's place shall not be filled by a replacement for at least three years, unless the faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

September 18, 2020

Dr. Renu Khator, President,
University of Houston
Office of the President
4302 University Drive, Room 212
Houston, TX 77204-2018

Dr. Paula Short, Provost
and Senior Vice President for Academic Affairs
University of Houston
4302 University Drive, Room 203
Houston, TX 77204-2019

Dear President Khator and Provost Short:

I write with the decision of the “*ad hoc* faculty hearing committee” (hereafter “tribunal”) appointed by, but not from, the University of Houston Grievance Committee to consider the case of dismissal for adequate cause against Professor Lawrence Wheeler, set forth in the letter from the Office of the Associate Provost of Faculty Development and Faculty Affairs to Professor Wheeler of February 22, 2019 (hereafter “Statement of Charges”). As specified in the UHS Board of Regents Policy 21.07 from the February 2016 edition of the Faculty Handbook (hereafter “Faculty Handbook”), our duty was threefold: *first*, to determine whether the University of Houston had met its “burden of proof” (Faculty Handbook, p.86, 88); *second*, to determine whether the University of Houston followed all university policies in filing these charges for dismissal for adequate cause and in prosecuting its case, including protecting the “rights of the individual to due process” (Faculty Handbook, 86-90); and *third*, provided that the University of Houston met its burden of proof and followed due process and all university policies, to determine whether the proposed sanction, dismissal for adequate cause, was justified or whether a “lesser academic penalty” is “more appropriate” (Faculty Handbook, p.89). What follows is a summary of our decision, followed by the reasons for our judgment.

Summary of Decision:

A. The tribunal unanimously finds Professor Wheeler’s actions demonstrated “substantial and manifest neglect of professional or academic responsibilities” as per the Statement of Charges.

B. The tribunal unanimously finds that the University of Houston, in filing these charges and in prosecuting its case, followed due process and all university policies pertaining to “Dismissal of Faculty Members with Tenure and Special or Probationary Appointments before the End of the Specified Term of Appointment,” including protecting the “rights of the individual to due process.”

C. The tribunal unanimously finds that the case for dismissal for cause of Professor Wheeler is justified and established by the evidence presented in the record.

Reasons for Judgment:

A. The tribunal unanimously finds Professor Wheeler’s actions demonstrated “substantial and manifest neglect of professional or academic responsibilities” as per the Statement of Charges.

The tribunal has had the opportunity to consider carefully the Statement of Charges, the testimonies given at the public hearing on September 11, 2020, and all evidence entered into the record. The Statement of Charges lays out the specific allegations against Professor Wheeler (Statement of Charges, p.3-4) and we shall deal with each in turn:

Charge 1

“After initially refusing to commit to teaching his assigned fall 2018 classes even after being contacted on numerous occasions concerning this matter by the Office of the Provost, Professor Wheeler waited until less than 24 hours prior to the first day of classes to finally accept his fall 2018 teaching assignment. His actions directly resulted in significant disruption not only to the students enrolled in these classes, including confusion concerning who the assigned class instructor was and which class textbook was required, but also to the administrative operations of his home department which not only had to hire replacement instructors at short notice but subsequently had to reassign them after Professor Wheeler reversed his decision to refuse his fall 2018 teaching assignment (Appendix 1).”

Professor Wheeler repeatedly alleged in his emails that he was not “refusing” to teach but his prevaricating over and arguing about his assignment made it impossible for his Director, Dr. Courtney Crappell, to do his job effectively and ensure that students would have appropriate instruction. Moreover, Professor Wheeler did expressly “refuse” his teaching assignment in writing in the emails entered into the record. Professor Wheeler writes in a letter of August 5, 2018 to Dr. Clarke which was sent as an email attachment the following day: “How does the above specifically pertain to my refusal to accept my workload assignment for fall 2018?” (Statement of Charges, Appendix 1, p. 082).

The tribunal finds Professor Wheeler’s disregard of the effects of his conduct on the students of the Moores School of Music particularly troubling. Though Professor Wheeler repeatedly claimed he was acting in the best interests of his students it was clear to this tribunal that his actions had exactly the opposite effect on those students who had been

assigned to his classes. Those students were subjected to great uncertainty and confusion due to his unprofessional behavior. Thus the tribunal finds the University has proved the allegations laid out in Charge 1 and Professor Wheeler refused to teach his dully-assigned classes in the fall semester 2018, which had been allocated to him, as per the University of Houston workload policy by the Director of the Moores School of Music.

Charge 2

“After refusing in writing to accept his spring 2019 teaching assignment of three (3) undergraduate classes assigned to him by his director, Professor Wheeler instead unilaterally decided to teach two (2) of the three (3) classes that he was originally assigned to by his director. His action again directly caused significant disruption to both the students enrolled in these classes and the administrative operations of his home department which was forced to reassign an instructor in order to cover Professor Wheeler’s unexcused refusal to teach the assigned class (Appendix 2).”

After dismissal charges were dropped in the fall 2018 semester when Professor Wheeler agreed to teach his assigned courses, he again refused to teach one of his courses in the subsequent semester starting with an email to Director Crappell dated November 13, 2018, in which Professor Wheeler writes “I do not accept your assignment” (Statement of Charges, Appendix 2, p.015). In subsequent emails leading up to and including that of January 16, 2019 to Director Crappell, Professor Wheeler makes his refusal abundantly clear when writing “I again state that I can not/ should not/ and will not teach the MUSI 1300 class. After having said so five times, I will not answer that question again” (Statement of Charges, Appendix 2, p.003). The tribunal interprets this statement as a blanket refusal to teach the assigned course and a refusal to engage in any further discussion of the matter. The refusal at this late hour disrupted classroom instruction and the normal function of his home department

Charge 3

“Despite being presented on multiple occasions with evidence to the contrary including direct communications to this effect from the Office of the Provost, Professor Wheeler has tried to justify his improper actions and unprofessional behavior by disputing the authority of the University of Houston Faculty Workload Policy (MAPP 12.05.01, and its predecessor in the 2016 University of Houston Faculty Handbook) as the university policy governing the appropriate assignment of faculty workload, and more specifically, by disputing the authority of his director to assign specific teaching assignments (Appendices 1, 2, and 3). To this end, Professor Wheeler has refused to accept his teaching assignment for the fall 2019 semester (Appendix 3).”

Professor Wheeler’s refusal of his Fall 2019 teaching assignment can be found in an email sent on February 18, 2019 from Professor Wheeler to Director Crappell in which he states “I will not accept the continued assignment of music appreciation and/or fundamentals of music, courses I have now taught 49 and 18 consecutive times.” Then on February 19, 2019

in response to an email from Director Crappell informing Professor Wheeler of his fall 2019 teaching assignments, Professor Wheeler writes: "I refuse to accept this assignment" (Statement of Charges, Appendix 3, p.002). Professor Wheeler had the opportunity to grieve his teaching assignments through appropriate channels without disrupting the operation of the Moores School of Music and instruction to students, but he did not avail himself of this opportunity for resolution.

MAPP 12.05.01 was passed by vote of the UHS Board of Regents at its May 2018 meeting. It is dated May 24, 2018, the date of the President's Approval. Therefore, it was in effect well before the Fall 2019 teaching assignment was determined by Director Crappell or discussed with Professor Wheeler. MAPP 12.05.01, under section "III. Guiding Principles for Workload Assignment," specifically states "B. Meeting the teaching and instructional needs of the unit and/or department will take the highest priority when determining faculty workload assignments." In addition, it states "E. Determination of an individual faculty member's annual workload resides ultimately with the chair or director of the department/academic unit with oversight from the dean."

The tribunal was not convinced by Professor Wheeler's repeated interpretation of the Faculty Workload example table (Faculty Handbook, p.107, in Statement of Charges, p.144 (pdf pagination)) for two reasons: first, there is an example in that table showing that, in fact, faculty may be assigned to teach seven courses per year, depending on the research / scholarship / service contribution; second, it is up to the Director to decide faculty load and assign the workload units. The tribunal found Director Crappell's testimony convincing in relation to how workload was assigned and that he attempted to consult with Professor Wheeler about his workload on several occasions.

By refusing to accept his faculty teaching assignment for the fall 2019 semester, Professor Wheeler continued to cause disruption to the operations of the Moores School of Music.

B. The tribunal unanimously finds that the University of Houston, in filing these charges and in prosecuting its case, followed due process and all university policies pertaining to "Dismissal of Faculty Members with Tenure and Special or Probationary Appointments before the End of the Specified Term of Appointment," including protecting the "rights of the individual to due process."

As explained in the Statement of Charges (Statement of Charges, p.1), the Office of the Provost seeks to dismiss Professor Lawrence Wheeler for adequate cause under the policy "Dismissal of Faculty Members with Tenure and Special or Probationary Appointments before the End of the Specified Term of Appointment" as specified in the Faculty Handbook (Faculty Handbook, p.86-87), on "grounds related to substantial and manifest neglect of professional or academic responsibilities" (Faculty Handbook, p.86; Statement of Charges, p.1). The policies governing "Dismissal for Cause" are detailed at length in the Faculty Handbook (Faculty Handbook, p.87-90). The tribunal reviewed these policies carefully while consulting the evidence on record. After this lengthy process, the tribunal found, by unanimous vote, that the University of Houston followed due process and all policies pertaining to dismissal for adequate cause.

C. The tribunal unanimously finds that the case for dismissal for cause of Professor Wheeler is justified and established by the evidence presented in the record.

The tribunal after careful review of the material provided and from hearing testimonies from both parties, recognizes Professor Wheeler’s long service at the University of Houston. The tribunal concludes that Professor Wheeler was provided multiple opportunities to address his grievances in a manner that would avoid disruption of student instruction. In addition, Professor Wheeler was given several chances for reconciliation and remediation. The tribunal by a unanimous vote finds that the case for dismissal for cause of Professor Wheeler is justified and established by the evidence presented in the record.

We understand that the tribunal’s recommendation is not binding,

Yours sincerely,



Patrick Peters, Chair of Tribunal, Professor, Architect
Gerald D. Hines College of Architecture and Design

Dr. James Schafer, Secretary of Tribunal, Associate Professor, Department of History
College of Liberal Arts and Social Sciences

Dr. Sally Connolly
Associate Professor, Department of English
College of Liberal Arts and Social Sciences

Dr. Paul Ruchhoeft
Associate Professor, Department of Electrical and Computer Engineering
Cullen College of Engineering

Dr. Samina Salim
Associate Professor, Department of Pharmacological and Pharmaceutical Sciences
College of Pharmacy

UNIVERSITY of HOUSTON SYSTEM

Paula Myrick Short, Ph.D.
Theresa M. Monaco Chair
Senior Vice Chancellor for Academic Affairs, University of Houston System
Senior Vice President for Academic Affairs and Provost, University of Houston
Distinguished Professor of Education

MEMORANDUM

TO: Renu Khator, Ph.D.
Chancellor, UH System
President, University of Houston

FROM: Paula Myrick Short, Ph.D. 
Senior Vice Chancellor for Academic Affairs, UH System
Senior Vice President for Academic Affairs and Provost, UH

DATE: October 27, 2020

RE: Dismissal for Cause Recommendation Concerning Associate Professor Lawrence Wheeler

Late last year a Faculty Hearing Tribunal was convened to consider formal charges brought by the Office of the Provost against Professor Lawrence Wheeler seeking dismissal for cause. Mr. Wheeler is currently a tenured Associate Professor in the Moores School of Music in the Kathrine G. McGovern College of Arts at the University of Houston.

The Tribunal developed procedures and held pre-hearing meetings, in accord with provision of the 2016 UH Faculty Handbook. The Hearing Tribunal met on September 11, 2020 to hear the evidence in this case. Due to the ongoing COVID-19 pandemic, the public hearing was conducted virtually on Zoom. Based on the evidence entered into the record by Professor Wheeler and the Office of the Provost, the Tribunal has now provided me with an advisory recommendation in this case.

The Hearing Tribunal's recommendations are summarized below:

Summary of Hearing Tribunal Recommendations

- A. The tribunal unanimously finds Professor Wheeler's actions demonstrated "substantial and manifest neglect of professional or academic responsibilities" as per the Statement of Charges.
- B. The tribunal unanimously finds that the University of Houston, in filing these charges and in prosecuting its case, followed due process and all university policies pertaining to "Dismissal of Faculty Members with Tenure and Special or Probationary Appointments before the End of the Specified Term of Appointment," including protecting the "rights of the individual to due process."

- C. The tribunal unanimously finds that the case for dismissal for cause of Professor Wheeler is justified and established by the evidence presented in the record.

In addition to the findings of the Hearing Tribunal, I have conducted an independent review of the evidence and testimony offered in this case. This review included the evidence supporting the written charges brought against Professor Wheeler by the Office of the Provost, rebuttal information provided by Professor Wheeler, witness statements and the transcript of the virtual proceedings conducted by the Hearing Tribunal on September 11, 2020.

My independent review of the overall record in this case has led me to the following conclusions:

- 1) In continually disputing authority of the UH Faculty Workload Policy and that of his department chair to assign faculty teaching workload under that policy, and repeatedly prevaricating on whether or not he would accept his duly assigned teaching assignment for the fall 2018 semester up until the first day of classes, Professor Wheeler's willful actions and unprofessional behavior resulted in significant disruption to both students and the administrative operations of his home department;
- 2) In unilaterally deciding that he would accept only part of his teaching assignment for the spring 2019 semester, Professor Wheeler willfully and knowingly ignored the authority the UH Faculty Workload Policy and his department chair to assign faculty workload. His actions again resulted in significant disruption to both enrolled students and the administrative operations of his home department;
- 3) In unequivocally refusing to accept his teaching assignment for the fall 2019 semester, Professor Wheeler again demonstrated a complete and willful disregard for the UH Faculty Workload Policy. In light of Professor Wheeler's past unprofessional behavior and continued and egregious policy violations, his actions appropriately resulted in the Office of the Provost filing charges seeking his dismissal for cause due to continued "substantial and manifest neglect of professional or academic responsibilities."

It is clear from my review of the written record in this case that all relevant University of Houston policies were followed, and that the charges filed against Professor Wheeler by the Office of the Provost seeking to dismiss him for substantial and manifest neglect of his professional and academic responsibilities were appropriate and justified. In addition, I would also note that despite his repeated and flagrant violations of university policy, Professor Wheeler was provided with multiple opportunities to remedy his actions before and even after formal dismissal for cause charges were levelled against him, yet he failed to remedy his actions. Furthermore, it is also clear that Professor Wheeler was provided with all due process rights he was entitled to throughout the course of these proceedings.

Based on the findings of my independent review and the advisory recommendation provided to me by the Faculty Hearing Tribunal, my final formal recommendation to you in this case is that Professor Lawrence Wheeler's tenure as an Associate Professor in the Moores School of Music in the Kathrine G. McGovern College of Arts be hereby revoked, and that he be dismissed from his faculty position at the University of Houston as soon as possible thereafter.

Lawrence Wheeler is a professor at the University of Houston Moores School of Music, where he has taught since 1977. Former principal viola of the Pittsburgh Symphony and the Houston Grand Opera Orchestra, he has served as co-principal of the Minnesota Orchestra and guest principal with the Dallas Symphony, the Houston Symphony, and the Santa Monica Symphony. He has appeared as soloist with the Pittsburgh Symphony, Minnesota Orchestra, Icelandic National Symphony, Texas Chamber Orchestra, Hilton Head Chamber Orchestra, and the UNAM Philharmonic in Mexico City. In 2005, he gave the 2nd US performance of the Theofanidis Viola Concerto, with the composer conducting.

Familiar to Houston audiences through numerous solo, recital and chamber music appearances, Wheeler has given viola recitals in New York at Lincoln Center's Alice Tully Hall, in London at Wigmore Hall, at International Viola Congresses in Stuttgart, Houston, Iceland and Los Angeles, as well as recitals in Mexico City and throughout Texas. In 2015, he and pianist Tali Morgulis gave the 2nd US performance of the Viola Sonata by Boris Pigovat. His chamber music performances have included concerts with the Tokyo, St. Lawrence, Pro Arte and Tallis String Quartets, the Mirecourt Trio, and with Da Camera of Houston. He has performed in recital with many eminent musicians including Fredell Lack, Kenneth Goldsmith, Frank Huang, Emanuel Borok, Joan Kwuon, Erick Friedman, James Buswell, Lynn Harrell, Desmond Hoebig, Lazslo Varga, Ruth Tomfohrde, Albert Hirsh, and Abbey Simon.

For several years he was violist of the Lyric Art String Quartet, whose compact-disc *Classical Hollywood* was nominated for a Grammy Award. With pianist Ruth Tomfohrde, he made the first recordings available on CD of the George Rochberg Sonata, the Bernard Heiden Sonata, and the Paul Creston Suite, released by Albany Recordings. Other CD's include works with the Texas Festival and Picasso quartets. Wheeler's recorded performances have been heard nationally on NPR and internationally on the BBC. His articles have appeared in *The Strad Magazine*, *Strings Magazine*, and his reviews have been published online on *The Classical Review* and *Slipped Disc*. He has published a fully edited and realized edition of the Telemann Viola Concerto (the first of its kind in 300 years), Suite for Viola and Piano by Alexander Tcherepnin (arranged by Wheeler), and his own Caprices for Solo Viola, Op. 1. His book, *Mazas Selected Etudes for Viola* (published by Carl Fischer Music in 2017), has for 3 straight years been selected as a required etude book by the Texas Music Educators Association. It is used by 500 Texas high school violists each year, and has sold 1,000 copies.

For 19 years Wheeler directed the Greater Houston Youth Orchestra, which he founded in 1990 with Kenneth Goldsmith. He has been conductor of string ensembles at the University of Houston and the High School for Performing and Visual Arts and has guest conducted several Texas Region orchestras, as well as the Texas Private Schools All-State Orchestra. An advocate of music education, he has sent more of his high school viola students to Texas All-State orchestras than any private teacher of any instrument, including sixteen Symphony, three Philharmonic, and two String Ensemble first-chair players. His YouTube videos of Texas All-State viola music and live performances have been viewed more than 170,000 times. His former students include international violin soloists Hilary Hahn and Leila Josefowicz; Concertmaster and Associate Concertmaster of the New York Philharmonic, Concertmaster of the Chicago Symphony, First Associate Concertmaster of the Philadelphia Orchestra, members of the Cleveland Orchestra, the Pittsburgh Symphony, the Minnesota Orchestra, the Baltimore Symphony, and the Houston Ballet and Houston Grand Opera Orchestras; at Da Camera, Carnegie Hall, and Lincoln Center; and are faculty at the Berklee College of Music, Sam Houston State University, Ohio State University, Vanderbilt University, and Harvard University. Several are teaching music in Houston area schools.

A graduate of the Juilliard School, Wheeler studied viola with Leonard Mogill, Francis Tursi, Bruno Giuranna, Walter Trampler and William Lincer, and chamber music with Claus Adam, Samuel Rhodes, and Felix Galimir. For five summers he taught at the famed Meadowmount School for Strings, and for twelve summers at the ENCORE School for Strings, where he worked with many of the most gifted of the younger generation of string players, including Leila Josefowicz, Hilary Hahn, Cheryl Staples, Robert Chen, Frank Huang, Juliette Kang, and Laura Frautschi. He has also taught and performed at the Musicorda Music Festival in Massachusetts, the Bowdoin Music Festival in Maine, the Harpa International Music Festival in Iceland, the Texas Music Festival in Houston, and the Round Top Festival Institute in Texas. He has given viola masterclasses throughout Colorado, at the University of Michigan, Northwestern University, Oberlin College, and the Cleveland Institute of Music.

Wheeler plays a Carlo Antonio Testore viola made in Milan, Italy in 1741.

Wheeler Statement to UHS Board of Regents–

I have been given 10 minutes to make a statement to the University of Houston System Board of Regents regarding my dismissal. This, after 44 years of service to my university, my profession, and my students. On May 18, 2017, I stood before the Board of Regents to report that the University was breaking the law by not reporting faculty workloads and salaries for several years. At that time, I told you I was concerned about retaliation. That has come to pass.

By using an arbitrary and narrowly targeted timeframe of a only year and a half, Associate Provost Mark Clarke presented to a five-member Tribunal a one-sided and self-serving argument advocating for my dismissal. This Tribunal unanimously recommended my dismissal based on the evidence presented. This has been confirmed by both Provost Short and Chancellor Khator. I have great concern that this distinguished body will uphold those recommendations.

My dismissal is not the result of due process or fair and equal treatment, but bad faith, unethical and dishonest actions, discrimination, and retaliation by various University administrators who represent you, the members of the Board of Regents. Various references in this statement have been documented in the extensive hearing evidence I previously submitted to Sharepoint.

Their complaint about my objecting to teach a course for which I was not hired, for which I was not trained, and which was not of my choosing is absurd. Even so, I had taught it for 17 consecutive semesters, a fact deliberately ignored by all involved. Even more remarkable is the fact that I taught another course, again not of my choosing, 54 consecutive times. In both cases I did the very best I could because I am a professional teacher and I care about my students. I have consistently received excellent student evaluations. As to the case the course in question, my objections had nothing to do with my desire to contribute or to fulfill any required workload. My ongoing offer to teach any of six alternate courses proves that. [Andrew Davis had initially said other courses would be considered but failed to follow through.] I contend that the assignments forced on me were not made with the best interests of our students or their professional success. Instead, they were designed to make me resign, retire, or give up. All that this accomplished was to establish a non-supportive and even hostile work environment.

I have given you my bio, and would like to point out a few things. I was hired in 1977 to teach viola and chamber music. I have had great success as a performer and teacher in both areas. I have given recitals at my school at least once a year for 44 years, more than any MSM faculty member. My recital with pianist Tali Morgulis was one of only two presented by MSM faculty this semester. I have served as principal viola with four major orchestras, given recitals in New York, London, Stuttgart, Reykjavik, Los Angeles, and Mexico City, and performed with many of the most esteemed musicians in the world. I gave the second US performance of two major works for viola and two weeks ago gave the world premiere performance of my arrangement of a work by the acclaimed composer Gabriela Lena Frank. A CD was nominated for a Grammy Award, and my written articles have appeared in the two largest string magazines in the world. My viola etude book, published by Carl Fischer Music, is used each year by 500 Texas high

school violists for study and All-State audition purposes. My YouTube videos have been viewed more than 175,000 times.

And yet, even with the above:

- Andrew Davis testified that I had done nothing of any consequence for decades.
- John Roberts, the former Dean of CLASS, testified I had “lost my skills and could no longer teach the violin.” [Note: I teach the viola, not the violin.]
- David White stated that I had not done enough to warrant the one-course creative/research credit and removed it. This action should have been taken only after Post-Tenure Review.
- MSM Director Courtney Crappell stated in my 2019 merit evaluation that I “met expectations” and awarded me a 3 (III) rating. This was the very same time he recommended my dismissal.

These absurd statements and actions are easily countered, but fact-based evidence is no impediment for these administrators in achieving a desired outcome.

Ultimately, a teacher’s success is measured and defined by their students. I submitted to the Tribunal dozens of letters of support from my students which were not read or considered. My chamber music students are now concert-masters of the New York Philharmonic and the Chicago Symphony, Associate Concertmasters of the New York Philharmonic and The Philadelphia Orchestra, and members of the Cleveland Orchestra, the Pittsburgh Symphony, the Minnesota Orchestra, the Baltimore Symphony, the Houston Symphony, and the Houston Ballet and Houston Grand Opera Orchestras. I was the first chamber music teacher of world-class violinists Leila Josefowicz and Hilary Hahn. My viola students have worked at Houston’s Da Camera, at Carnegie Hall and Lincoln Center in New York, and are on the faculties of Juilliard, Berklee College of Music, Sam Houston State University, Ohio State University, Vanderbilt University, and Harvard University.

My success as a teacher at the Moores School of Music is matched only by esteemed Cullen Professor of Violin Fredell Lack, now retired. Since my removal from viola and chamber music, such a record has not again been attained. I cannot name a single MSM string student who has won a professional orchestra job in the past decade. And yet, David White stated I should be removed because of a lack of teaching success and recruiting. At that very time I had 12 private viola students, begging the question: Was it this teacher or the school that was not attracting students? Was it in the best interests of my school or its students to remove me and disregard my concerns? Given my record, do I really deserve to be dismissed at age 71, in the midst of a pandemic? I hope you will see I do not.

The following are examples of unfair and hostile administrative actions by various University of Houston administrators.

Associate Provost Mark Clarke divulged in an email copied to Andrew Davis that I had reported Davis’ improper relationship with a graduate student while he was director of graduate studies. Dr. Davis’ pattern of adverse administrative actions shows retaliation.

I pointed out to Associate Provost Mark Clarke that the University had not completed a faculty workload report for several years, making the University in violation of the law. He told me the Faculty Handbook referred to an outdated requirement, which was incorrect. Since he would not correct the violation, I reported the oversight and subsequent violation of state law to the UHS Board of Regents. Recently, Dr. Clarke also cited a not-as-yet active MAPP policy (12.05.01) as justification for my dismissal. He ignored written procedures and due process in suspending me from my teaching duties, doing so without University of Houston Grievance Committee recommendation. Dr. Clarke's adverse administrative actions show a pattern of retaliation.

I raised questions about the process of selecting Courtney Crappell as director of the Moores School of Music. Dr. Crappell promised to consider and then rejected my request to return to the areas of teaching for which I was hired in 1977. He subsequently lied that he had provided any rationale or justification for doing so. When I objected based on Faculty Handbook policies, he recommended my dismissal, citing a not-as-yet active MAPP policy (12.05.01) as justification. Dr. Crappell's pattern of adverse administrative actions shows retaliation.

The University Grievance Committee determined unanimously (9-0) that I had been the subject of retaliation (16-4-29). The Office of the Provost disagreed, and no corrective action was taken.

Below is a partial list of adverse administrative actions by several University of Houston administrators demonstrating age discrimination and retaliation. Taken as a whole, it shows administrative harassment for at least a decade. Each instance is documented:

Denied MUSI 1300 course release for Hurricane Harvey after my house was flooded. (Wilkins)

No expression of concern for Harvey home flooding. (Davis, Crappell)

Denied TA assistance for MUSI 1300 multiple times. (Crappell)

No expression of concern or willingness to accommodate for my vision difficulties until directed by the EEOC Office. (Crappell)

Reference to age in 2/13/18 meeting. (Crappell)

Using words "incapable" and "unable" in a university email during discussions about workplace accommodation. (Crappell)

Andrew Davis had initially said other courses would be considered but failed to follow through.

Using the word "confused" when discussing a question regarding procedure and fair treatment. (Davis)

Submitting false statements regarding merit ratings and research history in order to justify the denial of a Faculty Competitive Salary Adjustment for two years. (Davis)

Failure to follow written procedures regarding the Faculty Competitive Salary Adjustment, i.e., written guidelines of evaluation and notification by deans of faculty denied. (Davis, Clarke)

Refusal to correct the above administratively or through a grievance. (Clarke)

Failure to follow University Faculty Handbook regarding faculty assignments. (Clarke, Crappell, Davis, White)

Falsely claiming application of an administrative policy (MAPP 12.05.01) not yet in effect in order to justify improper assignment of courses and dismissal. (Crappell, Clarke)

Dismissal proceedings threatened and then initiated. (Crappell, Clarke)

Complete disregard for written policies and procedures regarding dismissal. (Crappell, Davis, Clarke)

Infringement of my academic freedom by insisting I use a textbook not of my choosing for a course I was assigned. (Crappell)

Infringement of my academic freedom and displaying hostile and unprofessional behavior by speaking to my Fundamentals of Music students before I arrived, telling them I was no longer teaching the course. He then failed to leave when asked. (Crappell)

I never missed a single class. Associate Director Jeffrey Sposato came to my Fundamentals of Music class and told me to leave— in front of my students.

Assigning courses for which I was not hired. (Crappell, Wilkins, Davis, White)

Giving no justification or cogent reason for making adverse teaching assignments. (White, Davis, Wilkins, Crappell)

Failing or refusing to meet with me to discuss my teaching assignments. (White, Davis, Wilkins, Crappell)

Removal of my 3-hour course release for research and assigning an additional (fourth) course without due process. (White, Davis)

Imposing unreasonable expectations and requirements outside my areas of expertise in order for me to regain the improperly removed research credit. (Davis)

Delaying by a semester the achieved adjustment to my course load. (Davis)

I was removed from the Moores School of Music faculty listing on our website. It now lists me as Associate Professor of Viola. That subject (viola) is what I should be teaching.

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

ITEM: Approval is requested to delegate authority to the Chancellor to negotiate and execute updated employment agreements for executive management employees

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY:

Approval is requested to delegate authority to the Chancellor to negotiate and execute updated employment agreements for executive management employees per Board of Regents Policy 57.10.

SUPPORTING DOCUMENTATION: N/A

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Approval

COMPONENT: University of Houston System



CHANCELLOR

Renu Khator



DATE

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

ITEM: Return of Charter for UH Charter School

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY:

The University of Houston seeks to return the charter for the UH Charter School to the Texas Education Agency at the end of this academic year.

This recommendation is due to the confluence of several factors:

1. The challenge of moving to online learning in March, and the continuation of online learning for some students in 2020-2021 while instruction is provided for other students in person.
2. Increased regulation in conjunction with a small enrollment creates compliance and budget challenges.
3. The demand for UH College of Education student teachers is great in the Houston region where our students will likely teach in the future. Further, the mission of the UH College of Education has to be focused on its students.

The University has taken in to account the availability of other charter schools and magnet schools in the vicinity for UHCS students.

**SUPPORTING
DOCUMENTATION:**

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Approval

COMPONENT: University of Houston System



CHANCELLOR

Renu Khator



DATE

Charter Amendment Resolution – University of Houston Charter School

WHEREAS the University of Houston Board of Regents is the sponsoring entity of the UH Charter School, providing educational opportunities for grades K-5; and

WHEREAS the University of Houston seeks to employ best practices in the management and supervision of the UH Charter School; and

WHEREAS the University of Houston is mindful of the challenges of educating K-5 students during a pandemic, as some students receive online instruction and other students receive on-campus instruction; and

WHEREAS the Charter for University of Houston Charter School caps the enrollment of students at a maximum of 138 students, and the current enrollment is 89 students; and

WHEREAS the University of Houston is cognizant of the budgetary challenges presented by compliance with applicable educational regulations for a school with a small enrollment; and

WHEREAS the University of Houston recognizes that its primary mission is to offer nationally competitive and internationally recognized opportunities for learning, discovery and engagement to a diverse population of students in a real-world setting at the baccalaureate, master's, doctoral and professional levels;

THEREFORE BE IT RESOLVED that the University of Houston Board of Regents hereby approves returning the Charter of the University of Houston Charter School to the Texas Education Agency. This resolution shall take effect on August 1, 2021, with approval of the Texas Commissioner of Education.

The University of Houston Charter shall continue to provide instruction through the end of the 2020-2021 academic year, in accord with its school calendar.

Members voting in favor of this Resolution on this 3rd day of December, 2020:

Tilman J. Fertitta, Chairman

Jack B. Moore

Durga D. Agrawal

Steve Chazen

Beth Madison

John A. McCall Jr.

Gerald W. McElvy

Alonzo Cantu

Doug H. Brooks

Alvaro De la Cruz, Jr.

* All voting board members are current members of the UHS Board of Regents, as appointed by the Governor of Texas.