

TEXAS HIGHER EDUCATION COORDINATING BOARD

MINUTES

April 27, 2023

Regular Quarterly Meeting

The Texas Higher Education Coordinating Board convened at 9:02 a.m. on April 27, 2023, with the following members present: Fred Farias, presiding; Donna Williams; Javaid Anwar; Robert Gauntt; Emma Schwartz; Sam Torn; Welcome Wilson; Daniel Wong; and Georgia Hejny.

Members absent: Richard Clemmer

AGENDA ITEM	ACTION
<p>I. Call to Order: Opening Remarks</p> <p>A. Resolutions of Appreciation for outgoing board members</p>	<p>Dr. Farias called the meeting of the Coordinating Board to order and called roll. All members were present except for Mr. Clemmer.</p> <p>On a motion by Ms. Williams, seconded by Mr. Wilson, the Board voted to excuse Mr. Clemmer's absence.</p> <p>On a motion by Dr. Wong, seconded by Mr. Anwar, the Board approved the resolution of appreciation for Georgia Hejny. The vote was unanimous.</p> <p>A copy of the resolution can be found as Attachment B to these minutes.</p> <p>On a motion by Mr. Torn, seconded by Ms. Schwartz, the Board approved the resolution of appreciation for Robert Gauntt. The vote was unanimous.</p> <p>A copy of the resolution can be found as Attachment C to these minutes.</p> <p>On a motion by Ms. Williams, seconded by Mr. Anwar, the Board approved the resolution of appreciation for Sam Torn. The vote was unanimous.</p> <p>A copy of the resolution can be found as Attachment D to these minutes.</p>
<p>II. Commissioner's Comments</p>	<p>No action required. Commissioner Keller provided remarks on some of the agenda items.</p>
<p>III. Public Testimony</p>	<p>Mr. Augustin Villarreal testified in support of HB 1604. A copy of his testimony can be found at attachment A.</p> <p>Dr. Farias advised the Board that they could</p>

AGENDA ITEM	ACTION
	not discuss the testimony as it was not a topic on the posted agenda for this meeting.
<p>IV. Approval of Minutes</p> <p>A. January 26, 2023, Quarterly Board Meeting</p>	<p>On a motion by Mr. Wilson, seconded by Mr. Gauntt, the Board approved the minutes for the October Quarterly Board Meeting. The vote was unanimous.</p>
<p>V. Approval of the Consent Calendar</p>	<p>On a motion by Mr. Torn, seconded by Mr. Anwar, the Board approved the non-rule Consent Calendar as amended. The vote was unanimous.</p> <p>Items approved on the consent calendar were: 7-D; 8-B; 8-C; 8-D; 8-E; 8-F; 10-B; 10-C; 10-F; 10-G; 10-H; 10-I; 10-J; and 11-B.</p> <p>On a motion by Ms. Williams, seconded by Ms. Schwartz, the Board approved the rule Consent Calendar. The vote was unanimous.</p> <p>Items approved on the rule consent calendar were 8-G (1-3); 10-M (1-2), 10-M (7); and 11-D.</p> <p>The Chairman announced a short break due to technical difficulties. The meeting adjourned at 9:33 AM and re-convened at 9:41 AM.</p>
<p>VI. Major Policy Discussion</p> <p>Changing workforce demands</p>	<p>No action required. Dr. David Troutman, Deputy Commissioner for Academic Affairs, and Dr. Michael Villarreal, Assistant Commissioner for Texas Insights Accelerator, provided this overview and were available for questions.</p>
<p>VII. Matters Relating to the Full Board</p>	
<p>A. Update on <i>Building a Talent Strong Texas</i></p>	<p>No action required. Melissa Henderson, Associate Commissioner for Strategic Partnerships, presented this item and was available for questions.</p>
<p>B. Update on Texas Transfer Initiatives</p>	<p>No action required. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p>
<p>C. Update on Program Review</p>	<p>No action required. Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions.</p>

AGENDA ITEM	ACTION
D. Acceptance of Gifts and Donations to the Board	This item was approved on the consent calendar.
E. Consideration and possible action to approve amending the cloud security contract pursuant to Government Code, Chapter 2155, with Microsoft Corporation to add \$750,000 for additional cloud security services to the contract.	<p>On a motion by Ms. Williams, seconded by Mr. Anwar, the Board approved amending the cloud security contract pursuant to Government Code, Chapter 2155, with Microsoft Corporation to add \$750,000 for additional cloud security services to the contract. The vote was unanimous.</p> <p>Ms. Zhenzhen Sun, Assistant Commissioner for Information Solutions and Services, and Mr. Miguel Olivas, Information Security Officer, presented this item and were available to answer questions.</p>
VIII. Matters Relating to the Committee on Innovation, Data, and Educational Analytics	
A. Committee chair's overview	No action required
B. Consideration and possible action to adopt the recommendation relating to the certification of gifts that are fundable through the Texas Research Incentive Program (TRIP) for emerging research universities	This item was approved on the consent calendar.
C. Consideration and possible action to approve the certification required by Texas Education Code, Section 62.146 for the National Research University Fund for Fiscal Year 2022	This item was approved on the consent calendar.
D. Report on Restricted Research Expenditures	This item was approved on the consent calendar.
E. Consideration and possible action to adopt the commissioner's recommendation relating to the annual report about the financial condition of the state's community college districts (SB 1, 87th Texas Legislature, Regular Session, Rider 12, 111-226)	This item was approved on the consent calendar.
F. Consideration and possible action to approve amending the technology service contract pursuant to Government Code, Chapter 2155, with Deloitte Consulting LLC from March 31, 2023, to August 31, 2023, at a cost not to exceed \$1,500,000	This item was approved on the consent calendar.
G. Proposed Rules (1) Consideration and possible action to adopt proposed amendments to Board Rules 13.101-13.104 and	This item was approved on the consent calendar. A copy of the Board rules as adopted may

AGENDA ITEM	ACTION
<p>13.109, concerning limitations on hours eligible to be reported for formula funding to the Coordinating Board</p> <p>(2) Consideration and possible action to amend Board Rule 22.1, concerning Definitions</p> <p>(3) Consideration and possible action to amend Board Rules 22.22–22.24 and 22.28–22.30, concerning the Tuition Equalization Grant Program</p> <p>(4) Consideration and possible action to amend Board Rule 22.49, concerning the Hinson-Hazlewood College Student Loan Program</p>	<p>be found in the agenda materials.</p> <p>This item was approved on the consent calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>This item was approved on the consent calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>On a motion by Ms. Schwartz, seconded by Ms. Williams, the Board adopted the amendments to Board Rule 22.49, concerning the Hinson-Hazlewood College Student Loan Program. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>Dr. Charles Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, presented this item and was available to answer questions.</p>
IX. Lunch	The board did not break for lunch.
X. Matters Relating to the Committee on Academic and Workforce Success	
A. Committee chair’s overview	No action required
B. Consideration and possible action to adopt the report to the Board on school closures and/or teach-outs pursuant to Board Rule 7.7(6)	This item was approved on the consent calendar.
C. Report on institutional requests acted on by the Commissioner or Assistant Commissioners since the last Board meeting	This item was approved on the consent calendar.
D. Consideration and possible action to adopt the Certification Advisory Council, and the Commissioner’s, recommendation related to a request from Medisend College of Biomedical Engineering Technology for its fourth and final Certificate of Authority to grant degrees in Texas	<p>On a motion by Mr. Torn, seconded by Mr. Anwar, the Board adopted the recommendation related to a request from Medisend College of Biomedical Engineering Technology for its fourth and final Certificate of Authority to grant degrees in Texas.</p> <p>Dr. Tina Jackson, Assistant Commissioner for Workforce Education, presented this item and was available to answer questions.</p>
E. Consideration and possible action to adopt the Certification Advisory Council, and the	On a motion by Dr. Wong, seconded by Mr. Wilson, the Board adopted the recommendation

AGENDA ITEM	ACTION
<p>Commissioner's, recommendation related to a request from Texas School of Health Sciences for its first Certificate of Authority to grant degrees in Texas</p>	<p>related to a request from Texas School of Health Sciences for its first Certificate of Authority to grant degrees in Texas. Dr. Tina Jackson, Assistant Commissioner for Workforce Education, presented this item and was available to answer questions.</p>
<p>F. Consideration and possible action to adopt the request to extend the current contract with The University of Texas at Austin for maintenance of the ApplyTexas System</p>	<p>This item was approved on the consent calendar.</p>
<p>G. Consideration and possible action to adopt the "Report on the Fiscal Year 2023 Annual Review of Low-Producing Programs"</p>	<p>This item was approved on the consent calendar.</p>
<p>H. Consideration and possible action to appoint members to the ApplyTexas Advisory Committee</p>	<p>This item was approved on the consent calendar.</p>
<p>I. Consideration and possible action to approve receipt of Fiscal Year 2023 Carl D. Perkins Community and Technical Colleges Consolidated Grant of \$41.57 million, which includes a mid-year reallocation of \$8.28 million</p>	<p>This item was approved on the consent calendar.</p>
<p>J. Consideration and possible action to approve receipt of Fiscal Year 2024 Carl D. Perkins Community and Technical Colleges Consolidated Grant funds not to exceed \$40 million, and receipt of Fiscal Year 2024 Carl D. Perkins State Leadership Grant funds not to exceed \$5 million</p>	<p>This item was approved on the consent calendar.</p>
<p>K. Consideration and possible action to adopt the report to the Legislature regarding reporting of sexual harassment at institutions of higher education, per Texas Education Code, Chapter 51, Subchapters E-2 and E-3</p>	<p>On a motion by Ms. Schwartz, seconded by Ms. Williams, the Board adopted the report to the Legislature regarding reporting of sexual harassment at institutions of higher education, per Texas Education Code, Chapter 51, Subchapters E-2 and E-3. Dr. Tina Jackson, Assistant Commissioner for Workforce Education, presented this item and was available to answer questions.</p>
<p>L. Consideration and possible action to approve the following requests for new degree programs:</p> <p>UNIVERSITY OF HOUSTON (1) Doctor of Philosophy (PHD) in Computer Engineering</p>	<p>On a motion by Dr. Wong, seconded by Mr. Wilson, the Board approved the new degree program. The vote was unanimous.</p>

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<p>THE UNIVERSITY OF TEXAS AT SAN ANTONIO (2) Doctor of Philosophy (PHD) in Chemical Engineering</p>	<p>Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions. Dr. Yuhua Chen, Associate Professor of Electrical and Computer Engineering; Dr. Badri Roysam, Chair of Department and Professor of Computer Science; and Dr. Sarah Larson, Vice Provost and Dean of the Graduate School, were also available for questions.</p> <p>On a motion by Mr. Anwar, seconded by Dr. Farias, the Board approved the new degree program. The vote was unanimous.</p> <p>Ms. Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, presented this item and was available for questions. Dr. JoAnn Browning, Dean; Dr. Eric Brey, Chair of Biomedical Engineering; and Dr. Joo Ong, Senior Associate Dean of Administration and Graduate Studies, were also available for questions.</p>
<p>M. Proposed rules:</p> <p>(1) Consideration and possible action to adopt proposed amendments to Board Rules 1.188 and 1.190, concerning the Learning Technology Advisory Committee</p> <p>(2) Consideration and possible action to adopt proposed amendments Board Rules 2.3 and 2.9, concerning revisions and modifications to an approved program</p> <p>(3) Consideration and possible action to adopt new Board Rules 2.200-2.207, concerning approval of distance education for public institutions</p> <p>(4) Consideration and possible action to adopt proposed amendments to Board Rule 3.19 to implement the penalty matrix for failure to meet substantial compliance under Texas Education Code, Chapter 51, Subchapters E-2 and E-3</p>	<p>This item was approved on the consent calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>This item was approved on the consent calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>On a motion by Ms. Schwartz, seconded by Dr. Farias, the Board adopted new Board Rules 2.200-2.207, concerning approval of distance education for public institutions. The vote was unanimous. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>Dr. Michelle Singh, Assistant Commissioner for Digital Learning, presented this item and was available to answer questions.</p> <p>On a motion by Mr. Torn, seconded by Ms. Schwartz, the Board adopted amendments to Board Rule 3.19 to implement the penalty matrix for failure to meet substantial compliance under Texas Education Code, Chapter 51, Subchapters E-2 and E-3. The vote was unanimous. A copy of the Board rules as adopted may be found in the agenda</p>

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<p>(5) Consideration and possible action to adopt proposed amendments to Board Rule 4.279(b), concerning formula funding for out-of-state or out-of-country programs</p> <p>(6) Consideration and possible action to adopt new Board Rules 13.400-13.408, implementing the TRUE Grant Program</p> <p>(7) Consideration and possible action to adopt new Board 13.450-13.454, concerning formula funding for distance education</p>	<p>materials.</p> <p>Mr. Jerel Booker, Assistant Deputy Commissioner for Academic Affair, presented this item and was available to answer questions.</p> <p>On a motion by Ms. Williams, seconded by Ms. Schwartz, the Board adopted amendments to Board Rule 4.279(b), concerning formula funding for out-of-state or out-of-country programs. The vote was unanimous. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>Dr. Tina Jackson, Assistant Commissioner for Workforce Education, presented this item and was available to answer questions.</p> <p>On a motion by Mr. Torn, seconded by Mr. Anwar, the Board adopted new Board Rules 13.400-13.408, implementing the TRUE Grant Program. The vote was unanimous. A copy of the Board rules as adopted may be found in the agenda materials.</p> <p>Dr. Tina Jackson, Assistant Commissioner for Workforce Education, presented this item and was available to answer questions.</p> <p>This item was approved on the consent calendar. A copy of the Board rules as adopted may be found in the agenda materials.</p>
<p>XI. Matters Relating to the Agency Operations Committee</p>	
<p>A. Committee chair's overview</p>	<p>No action required.</p>
<p>B. Report on grants and contracts</p>	<p>This item was approved on the consent calendar.</p>
<p>C. Consideration and possible action to approve payment to the U.S. Treasury in August 2023 of an amount up to \$6 million from the Texas Opportunity Fund for excess earnings relating to the 2013A refunding</p>	<p>On a motion by Mr. Gauntt, seconded by Mr. Torn, the Board voted to approve payment to the U.S. Treasury in August 2023 of an amount up to \$6 million from the Texas Opportunity Fund for excess earnings relating to the 2013A refunding. The vote was unanimous.</p> <p>Mr. Anthony Infantini, Chief Financial Officer, presented this item and was available to answer questions.</p>

AGENDA ITEM	ACTION
D. Consideration and possible action to adopt proposed amendments Board Rules, Chapter 1, Subchapter C, Standards of Conduct	This item was approved on the consent calendar. A copy of the Board rules as adopted may be found in the agenda materials.
XII. Adjournment	

With no further business, on a motion by Dr. Wong, seconded by Ms. Williams, the meeting adjourned at approximately 11:49 a.m.

Respectfully Submitted,



Fred Farias III, O.D.
Chairman of the Board

ATTACHMENT A

Public Testimony

Name: Augustin Villarreal

Agenda Item # & Subject Matter

Advocating for people with disabilities to go to college and postsecondary programs

For or Against or Neutral: For

Oral/Written Testimony: Both

Written Testimony

My name is Augustin Villarreal and I am a postsecondary Texas student with intellectual and developmental disabilities. I strongly support HB1604. I believe we need more funding for higher education, specifically for students like myself, who are often not given the opportunity to reach our full potential. This bill is important to me, because it will help students with disabilities go to college or programs such as E4 Texas, the program that I am attending now.

E4 Texas is a post-secondary program for people with or without disabilities at the Texas Center for Disability Studies at UT. I am in my third semester as an E4 student, where I am studying to be a paraprofessional. Right now I intern at Eanes Adult Transition Services. It is a program similar to E4 but for older people. Because of the opportunity to intern at this location, and because of the other skills that have been taught to me through the E4TEXAS program, I am learning ways to make money, have healthy relationships, be independent and even pursue more education in the future. In addition to more funding for postsecondary programs aimed at people with disabilities, we need the state to create more program options. Right now we have programs like E4TEXAS, the PATHS program at TEXAS A&M, and the LEAP program at Texas A&M, but that small number of postsecondary opportunities doesn't compare to the postsecondary options available to nondisabled students. This bill will help create more programs like E4 TEXAS, so that people with IDD can have educational equality.

Students with IDD deserve a good future, and the state of Texas should invest in those futures. One of the best ways for the state of Texas to prevent government dependency and promote equality among people with disabilities is to give us all access to a quality education. Therefore, I would like to see HB 1604 passed.

As someone with personal experiences of the challenges that disabled people face when we try to access higher education, I would be happy to discuss this bill further in person with any of the committee members. I appreciate your supportive efforts in higher education in Texas. Please pass this bill.

ATTACHMENT B



Texas Higher Education Coordinating Board
Resolution of Appreciation
Georgia A. Hejny

WHEREAS, Georgia A. Hejny was appointed as the student representative to the board of the Texas Higher Education Coordinating Board by Governor Greg Abbott for a one-year term beginning June 1, 2022; and

WHEREAS, during her tenure on the board, Ms. Hejny served as an ex-officio member on the Agency Operations Committee; the Committee on Academic and Workforce Success; and the Committee on Innovation, Data, and Educational Analytics; and

WHEREAS, the Texas Higher Education Coordinating Board values the input, ideas, and feedback from students on higher education policy, particularly those policies that have a direct impact on students; and

WHEREAS, Ms. Hejny has exceeded expectations, demonstrating dedication, leadership, knowledge, and professionalism and has provided extraordinary support and insight to the Board during Board meetings, while also serving numerous other associations, committees, and societies in her community; and

WHEREAS, during her term, Ms. Hejny made insightful and knowledgeable observations and comments, posed thoughtful questions, and sought clarifications and information on behalf of students across the state; and

WHEREAS, the Texas Higher Education Coordinating Board, its staff, and all current and future students in Texas will benefit from Ms. Hejny's active participation and dedicated service on the Board;

NOW THEREFORE BE IT RESOLVED, that the members of the Texas Higher Education Coordinating Board, on the 27th day of April, 2023, express our deepest appreciation to Georgia A. Hejny for her distinguished service as an influential member of the Board and her unwavering dedication to higher education for all the people of Texas; and

BE IT FURTHER RESOLVED, that the resolution be included in the minutes, and that a copy of the resolution, signed by the board members of the Texas Higher Education Coordinating Board, be presented to Georgia Hejny in recognition of the high esteem in which she is held.

ATTACHMENT C



Texas Higher Education Coordinating Board
Resolution of Appreciation
Robert P. Gauntt

WHEREAS, Robert P. Gauntt was appointed to the board of the Texas Higher Education Coordinating Board (THECB) for a six-year term by Governor Greg Abbott on September 13, 2021; and

WHEREAS, during his term on the board, Mr. Gauntt served with great distinction as a member of the Committee on Innovation, Data, and Educational Analytics and the Agency Operations Committee; and

WHEREAS, Mr. Gauntt is an important advocate for Texas higher education and the state of Texas, and the THECB has benefited from his interactions with legislators, educators, business leaders, regents, and trustees in Texas; and

WHEREAS, Mr. Gauntt's support for increasing higher education opportunities for Texas students and his commitment to helping make higher education possible for more Texas students will benefit students for generations to come; and

WHEREAS, despite his brief tenure on the board, as Governor Abbott has appointed him to The University of Texas System Board of Regents, Mr. Gauntt's leadership greatly benefited the Board, its staff, and all institutions of higher education; and

WHEREAS, Mr. Gauntt brought to bear his remarkable achievements in business and his service to several community boards and organizations by focusing the THECB on the importance of creating opportunities for Texas students to succeed in higher education and in the workforce; and

WHEREAS, Mr. Gauntt has earned the respect and gratitude of his colleagues at the THECB and institutions of higher education for his service and support for the students of Texas and the goals of the state's higher education plan, *Building a Talent Strong Texas*, and will undoubtedly continue to serve with great honor and distinction as a university system regent;

NOW THEREFORE BE IT RESOLVED, that the members of the Texas Higher Education Coordinating Board, on this 27th day of April, 2023, express our deepest appreciation to Robert Gauntt for his distinguished service as an effective member of this Board and his resolute dedication to higher education for all the people of Texas; and

BE IT FURTHER RESOLVED, that the resolution be included in the minutes, and that a copy of the resolution, signed by the board members of the Texas Higher Education Coordinating Board, be presented to Robert Gauntt in recognition of the high esteem in which he is held.

ATTACHMENT D



Texas Higher Education Coordinating Board
Resolution of Appreciation
R. Sam Torn

WHEREAS, Sam Torn was appointed to the board of the Texas Higher Education Coordinating Board for a six-year term by Governor Greg Abbott on November 25, 2019; and

WHEREAS, during his term on the board, Mr. Torn served with great distinction as vice chair of the Committee on Academic and Workforce Success and a member of the Committee on Innovation, Data, and Educational Analytics; and

WHEREAS, the board and the citizens of Texas have benefited greatly from his extensive business expertise, leadership, and vision for the state's higher institutions of learning and his strong support for the implementation of the state's strategic plan for higher education, *Building a Talent Strong Texas*; and

WHEREAS, his diligent work throughout his term helped raise higher education standards and combated serious educational issues facing our great state, Mr. Torn will continue his tireless efforts to achieve a more seamless educational system as a member of the Texas A&M University System Board of Regents; and

WHEREAS, Mr. Torn's commitment to students and to strengthening pathways for more students to achieve an affordable, high-quality higher education, while advocating for the wise and efficient use of taxpayer funds, will continue to benefit students and the state; and

WHEREAS, Mr. Torn's attention to quality, excellence, and the use of common-sense methods in support of higher education will benefit the state and its students long into the future, his dedication and enthusiasm will certainly be missed by the board and its staff; and

NOW THEREFORE BE IT RESOLVED, that the members of the Texas Higher Education Coordinating Board, on this 27th day of April, 2023, express our deepest appreciation to Sam Torn for his distinguished service as an effective member of this board and his resolute dedication to higher education for all the people of Texas; and

BE IT FURTHER RESOLVED, that the resolution be included in the minutes, and that a copy of the resolution, signed by the board members of the Texas Higher Education Coordinating Board, be presented to Sam Torn in recognition of the high esteem in which he is held.