

**UNIVERSITY OF HOUSTON SYSTEM**  
**Board of Regents Meeting**  
**November 17, 2009**

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# AGENDA

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## UNIVERSITY OF HOUSTON SYSTEM BOARD OF REGENTS MEETING

**DATE:** Wednesday, November 17, 2010  
**TIME:** 1:30 p.m.  
**PLACE:** University of Houston-Downtown  
Special Events Center  
Academic Building, Third Floor  
One Main Street  
Houston, Texas 77002

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**Chair:** Carroll Robertson Ray  
**Vice Chair:** Nelda Luce Blair  
**Secretary:** Mica Mosbacher

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### I. Board of Regents Meeting

- A. Call to Order
- B. Welcome by Dr. William Flores, President, University of Houston – Downtown
- C. Open Forum
- D. Approval of Minutes:
  - August 17, 2010, Board of Regents Meeting

### II. Approval of Consent Docket Items

The following items were unanimously recommended by the indicated committees for submission on the Consent Docket pursuant to By-Law 6.9. Any Regent may request that an item be removed from the Consent Docket and be individually considered by the Board.

- A. Approval of Appointment of Dean, College of Natural Sciences & Mathematics – University of Houston A&SS-1

**Action:** Approval

- B. Approval of Masters of Education in Adult and Higher Education at the University of Houston-Victoria A&SS-2

**Action:** Approval

- C. Approval of the Transfer of the University of Houston Department of Health and Human Performance from the UH College of Education to the UH College of Liberal Arts and Social Sciences – University of Houston A&SS-3

**Action:** Approval

- D. Approval is requested to delegate authority to the Chancellor to convey a ten foot wide perpetual easement to CenterPoint Energy Resources Corp. – University of Houston FCMP-1

**Action:** Approval

- E. Approval is requested to delegate authority to the Chancellor to negotiate and execute a multi-year contract for vendor managed inventory (VMI) at University Stores at the University of Houston – University of Houston F&A-1

**Action:** Approval

- F. Approval is requested to delegate authority to the Chancellor to negotiate and execute the contract to provide custodial service for the University of Houston-Downtown – University of Houston-Downtown F&A-2

**Action:** Approval

- G. Purchase Order for Public Broadcasting Services – University of Houston F&A-3

**Action:** Approval

- H. Review and Approval of Audit Report and Financial Statements, University of Houston Charter School, FY 2010 – University of Houston System AUDIT-1

**Action:** Approval

### **III. Committee Reports**

Item B was considered and approved by the Facilities, Construction and Master Planning Committee on Tuesday, November 16, 2010. Item D was considered and approved by the Finance and Administration Committee and Item E was discussed at the Audit and Compliance Committee held earlier today.

- A. **Academic and Student Success Committee Meeting Report**  
(All action items from this Committee are referred to the Consent Docket)

**B. Facilities, Construction and Master Planning Committee Meeting Report**

1. Approval is requested of the Committee members and their appointment terms for the System-wide Art Acquisition Committee (SWAAC) – University of Houston System FCMP-2

**Action:** Approval

**C. Endowment Committee Meeting Report**

(There are no Endowment Committee action items referred to the Board)

**D. Finance and Administration Committee Meeting Report**

1. Approval is requested for the purchase and installation of a Metal Organic Chemical Vapor Deposition (MOCVD) System for Photovoltaics, Thermoelectrics and Solid State Lighting – University of Houston F&A-4

**Action:** Approval

2. Presentation of Preliminary Fiscal Year 2010 University of Houston System Annual Financial Report Summary – University of Houston System F&A-5

**Action:** Information

3. Presentation of projected revenues and expenses for Fiscal Year 2021 Based on Campus Master Plan Enrollment Targets – University of Houston System F&A-6

**Action:** Information

**E. Audit and Compliance Committee Meeting Report**

1. Ethics and Conflict of Interest Policies of Board of Regents and Each of the Universities – University of Houston System AUDIT-2

**Action:** Information

**IV. Board of Regents Items**

- A. Presentation of High Impact Educational Experiences at the University of Houston-Downtown – University of Houston-Downtown BOR – 1

**Action:** Information

- B. Annual Report on Intercollegiate Athletics – University of Houston BOR – 2

**Action:** Information



- C. Annual Report regarding Sponsored Research Comparison by Funding Source, Fiscal Year 2010 and a presentation on the research by Dr. Venkat Selvamanickam – University of Houston System BOR-3

**Action:** Information

- D. Presentation by University of Houston Faculty Senate President, Dr. Mark Clarke on Faculty Senate Activities and by Dr. Philip Lyons, University of Houston-Downtown Faculty Senate President on UH-Downtown's Faculty Senate Activities and Initiatives BOR-4

**Action:** Information

V. Chancellor's Report: System Profile and Accomplishments

VI. Chair's Report: Board Initiatives

VII. Executive Session

- A. Section 551.071 – Consultation with System Attorneys
- B. Section 551.072 – Deliberations Concerning Purchase, Lease or Value of Real Property
- C. Section 551.073 – Deliberations about Negotiated Contracts for Prospective Gifts or Donations
- D. Section 551.074 – Personnel Matters, Including Appointment, Evaluation or Dismissal of Personnel

VIII. Report and Action from Executive Session

IX. Adjourn

UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS  
CONSENT DOCKET ITEMS  
11/17/10

**Academic and Student Success Items**

1. Approval of Appointment of Dean, College of Natural Sciences & Mathematics – University of Houston – A&SS-1
2. Approval of Masters of Education in Adult and Higher Education at the University of Houston-Victoria – A&SS-2
3. Approval of the Transfer of the University of Houston Department of Health and Human Performance from the UH College of Education to the UH College of Liberal Arts and Social Sciences – A&SS – 3

**Facilities, Construction & Master Planning Items**

1. Approval of delegation of authority to the Chancellor to convey a ten foot wide perpetual easement to CenterPoint Energy Resources Corp. – University of Houston – FCMP -1

**Finance and Administration Items**

1. Approval of delegation of authority to the Chancellor to negotiate and execute a Vendor Managed Inventory (VMI) Contract for vendor managed inventory at University Stores, which purchases all materials and supplies for the Facilities Department at the University of Houston – University of Houston – F&A-1
2. Approval of delegation of authority to the Chancellor to negotiate and execute the contract to provide custodial service to the University of Houston-Downtown – University of Houston-Downtown – F&A-2
3. Purchase Order for Public Broadcasting Services – University of Houston – F&A-3

**Audit and Compliance Items**

1. Review and Approval of Audit Report and Financial Statements, University of Houston Charter School, FY 2010 – University of Houston – AUDIT-1

UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS AGENDA

COMMITTEE: Academic and Student Success

ITEM: Approval of Appointment of Dean, College of Natural Sciences & Mathematics, University of Houston

DATE PREVIOUSLY SUBMITTED:

SUMMARY

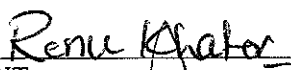
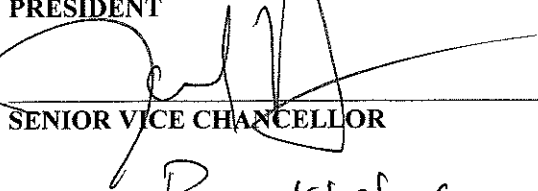
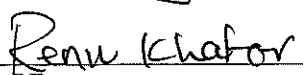
Approve and ratify the appointment of Mark A. Smith as Dean, University of Houston College of Natural Sciences & Mathematics, pursuant to Board Policy 57.10. The effective date of his appointment is January 1, 2011.

FISCAL NOTE:

SUPPORTING DOCUMENTATION: Biographical Sketch and Personnel Recommendation

ACTION REQUESTED: Administration recommends approval of this item.

COMPONENT: University of Houston

 PRESIDENT	Renu Khator	11-3-10 DATE
 SENIOR VICE CHANCELLOR	John Antel	11-2-10 DATE
 CHANCELLOR	Renu Khator	11-3-10 DATE

## Mark A. Smith, Ph.D.

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Dr. Mark A. Smith received his B.S. in Chemistry from the University of Oregon, his M.S. in Organic Chemistry from the Massachusetts Institute of Technology, and his Ph.D. in Physical Chemistry from the University of Colorado.

Since 1985 he has served as a faculty member in the Department of Chemistry at the University of Arizona, first as Assistant Professor (1985-1991), then as Associate Professor (1991-1995), and currently as Professor. In terms of his administrative career, he was appointed Head of the Arizona Department of Chemistry in 2007 and Chair of the Department of Chemistry and Biochemistry in 2009. The department is one of the largest on campus, with over 49 faculty, 100 professional staff, and the largest Ph.D. program at the university. The department has over 700 undergraduate majors, a \$15 million state budget, and research expenditures of \$20 million annually.

Major accomplishments during Dr. Smith's career as an administrator include:

- Merger of the separate departments of Chemistry, Biochemistry, and Molecular Biophysics into a single Department of Chemistry and Biochemistry
- Oversight of the design, construction and occupancy of a new \$45 million research building, taking the Chemistry/Biochemistry Department to five buildings and over 350,000 square feet of occupied space
- Planning a \$25 million restoration of the oldest departmental facility
- Implementation of the first departmental development program, which has been doubling private giving each year
- Created the first endowed chair in Chemistry and an external board of advisors

University of Houston System Board of Regents

Personnel Recommendation

**Organization: University of Houston**

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Type of Appointment: Appointment

Name: Mark A. Smith

To Title: Dean, College of Natural Sciences & Mathematics      Rate: \$ 300,000  
(12 Months)

Effective Date: January 1, 2011

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

**COMMITTEE:** Academic and Student Success

**ITEM:** Approval of Masters of Education in Adult and Higher Education at the University of Houston-Victoria

**DATE PREVIOUSLY SUBMITTED:**

**SUMMARY:**

The University of Houston-Victoria proposes the establishment of a Master of Education in Adult and Higher Education. This degree addresses the need to educate the large number of adult learners enrolling in formal, informal, community, and institutional education programs. Many adult-centered programs are experiencing large enrollment increases in response to the increased need for retraining in a shifting economy, an increasing demand for college degrees, the evolving educational needs that result from longer life spans, and the need to improve adult literacy. The increase in adult learners has created a need for skills, insights and knowledge of the field of adult and higher education.

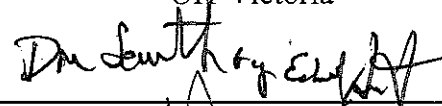

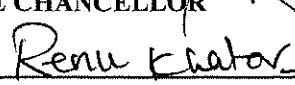
Within a 125 mile radius of Victoria are many public and private institutions of higher education whose faculty and staff could benefit from a graduate degree in Adult and Higher Education. In addition, the informal adult education environments such as non-profits, corporate training and development and human resources environments in Victoria and the surrounding area will benefit from the advanced education that comes with pursuing this degree. The Texas Workforce Commission anticipates that there will be 6,060 new post-secondary faculty and administration openings per year through the year 2016, with an additional 275 new adult education positions per year through the year 2016.

**SUPPORTING DOCUMENTATION:** Program Description, Financial Pro Forma, and Planning Authority-Degree Proposal Approval Process

**FISCAL NOTE:** See Financial Pro Forma

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

**COMPONENT:** UH-Victoria

	_____	11/3/10
<b>PRESIDENT (Interim)</b>	Don Smith	<b>DATE</b>
	_____	11/2/10
<b>SENIOR VICE CHANCELLOR</b>	John Antel	<b>DATE</b>
	_____	11-3-10
<b>CHANCELLOR</b>	Renu Khator	<b>DATE</b>

## **Master of Education Degree in Adult and Higher Education University of Houston – Victoria**

### **Congruence with System Goals and University Mission**

The Master of Education degree in Adult and Higher Education addresses the system goals of student success and community advancement by providing educational opportunity for students in a field that will contribute to the economic growth of the region and prepare students to become educational professionals that will facilitate the development of adult students in universities, community colleges and corporate training environments. It is consistent with UHV's mission to provide advanced credentials in areas that address local and regional needs for higher education.

### **Program Description**

The degree focuses on the changing nature of higher education, especially the influx of adult learners into formal, informal, community, and institutional education programs. This has created a need for skills, insights and knowledge of the field of adult and higher education. This masters program is designed to prepare students to work in formal and informal education environments outside of the K-12 structure. The Adult Education and Higher Education tracks require 36 semester credit hours. The Discipline Track requires 39 semester credit hours, which will include 18 hours in an academic discipline to prepare students to teach at the community college level.

### **Student and Job Market Demand**

If UHV is to be able to address the educational needs of its service area and increase enrollments, it must continue to expand its array of programs, which does not currently include a Master's program in Education outside of the K-12 structure. Within a 125 mile radius of Victoria are many public and private institutions of higher education whose faculty and staff could benefit from a graduate degree in Adult and Higher Education. In addition, the informal adult education environments such as non-profits, corporate training and development and human resources environments in Victoria and the surrounding area will benefit from the advanced education that comes with pursuing this degree.

Many adult-centered programs are experiencing large enrollment increases in response to the increased need for retraining in a shifting economy, an increasing demand for college degrees, the evolving educational needs that result from longer life spans, and the need to improve adult literacy. Serving these adult students creates a student demand for this type of program and UHV must provide an opportunity to those who teach and lead in adult and higher education to meet this demand.

The Bureau of Labor Statistics predicts that there will be over 600,000 job openings nationwide in higher education from 2008-2018, which represents faculty, higher education administration, and adult education positions.

The Texas Workforce Commission anticipates that there will be 6,060 new post-secondary faculty and administration openings per year through the year 2016, with an additional 275 new adult education positions per year through the year 2016.

### **Program Duplication**

A search of related CIP codes indicates that there are no public institutions in Texas offering a Master's degree in Adult and Continuing Education (CIP code: 13.0403), although the University of Texas-San Antonio does offer a related degree, an MA in Adult Learning and Teaching, which includes no course work in higher education. Only six Texas public institutions offer a Master's degree in Higher Education Administration (CIP code: 13.0406), including the University of Houston and the University of Texas-San Antonio.

UH offers a M.Ed. in Educational Leadership-Higher Education which includes coursework in general educational leadership as well as issues specific to administration in institutions of higher learning, such as student affairs, the two-year college, and student persistence.

The UHV Adult and Higher Education program reaches beyond the scope of the aforementioned higher education degree programs to provide additional preparation for those who work in teaching, training, and adult program development areas out in the community. The Discipline Track will also prepare students to become community college educators. This type of program would have broad appeal to students employed in a variety of fields.

### **Faculty Resources**

The program would draw on existing faculty within the School of Education and Human Development. Faculty members would also be drawn from UHV and other local higher education administrators to teach specialized courses. In addition to the already existing full time faculty member, an additional full-time faculty member will be hired after the program is approved.



**PRO FORMA FOR MASTER OF EDUCATION IN ADULT AND HIGHER EDUCATION**

Assumptions

Existing Faculty - Cox	60,766
Existing Faculty - LeSage	14,101
New Faculty	59,500
Part Time Faculty	20,000
Annual rate of inflation	3%

	<u>Fall 2011</u>	<u>Fall 2012</u>	<u>Fall 2013</u>	<u>Fall 2014</u>	<u>Fall 2015</u>
Enrollments	10	20	30	40	50
Total	10	20	30	40	50

**CONSENT DOCKET**  
**A&SS - 2.1.3**

	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>
Existing Faculty - Cox	60,766	60,766	60,766	60,766	60,766
Existing Faculty - LeSage	14,101	14,101	14,101	14,101	14,101
New Faculty	59,500	59,500	59,500	59,500	59,500
Part Time Faculty	20,000	20,000	20,000	20,000	20,000
Total Salaries	154,367	154,367	154,367	154,367	154,367
Benefits @ 30%	46,310	46,310	46,310	46,310	46,310
Total Personnel	200,677	200,677	200,677	200,677	200,677
Non-Personnel					
Annual maintenance & operations	9,000	9,270	9,548	9,835	10,130
Library - Journals and books	1,000	1,030	1,061	1,093	1,126
Equipment	5,000			2,500	
Total Non-Personnel	15,000	10,300	10,609	13,428	11,256

Total Annual Expense                   \$ 215,677   \$ 210,977   \$ 211,286   \$ 214,105   \$ 211,933

University Tuition	67,500	135,000	202,500	270,000	337,500
University Fees	16,200	32,400	48,600	64,800	81,000
Subtotal	83,700	167,400	251,100	334,800	418,500

Formula Funding					
Generated	-	-	46,269	46,269	101,793
Allocated to university operations (60%)	-	-	(27,762)	(27,762)	(61,076)
Net additional formula funding	-	-	18,508	18,508	40,717

Total new revenue                   \$ 83,700   \$ 167,400   \$ 269,608   \$ 353,308   \$ 459,217

Net new revenue                       \$ (131,977)   \$ (43,577)   \$ 58,322   \$ 139,203   \$ 247,284

# UNIVERSITY OF HOUSTON SYSTEM

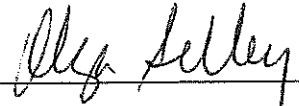
## PLANNING AUTHORITY – DEGREE PROPOSAL APPROVAL PROCESS

1. Type of Request (check one): Planning authority for new doctoral or engineering degree \_\_\_\_\_  
Request for new doctoral or engineering degree \_\_\_\_\_  
Planning authority for new degree \_\_\_\_\_  
Request for new degree \_\_\_\_\_ X \_\_\_\_\_

2. Title of proposed degree or planning authority: Master of Education Degree in Adult and Higher Education – University of Houston - Victoria

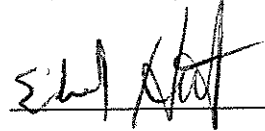
3. Submit proposal to Office of the Senior Vice Chancellor

Received: Date: 09/02/10 Signed: Olga Selley



4. SVC Office reviews proposal and confirms that it is complete (including, but not limited to, details regarding congruence with System goals and University missions, student and job market demand, potential program duplication, faculty resources, consistency with THECB guidelines, financial pro forma) and in the specified format, including a brief program description.

Received: Date: 09/02/10 Signed: Edward Hugetz



5. SVC Office places proposal on Provosts' Council agenda for first reading.

First reading: Date: 09/02/10 Signed: Elaine Charlson

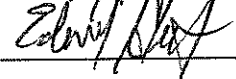


Provosts solicit review of the item at their campuses and send comments to SVC Office.

UHCL comments received: Date: 10/11/10 Signed: Edward Hugetz

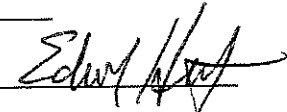


UHD comments received: Date: 10/11/10 Signed: Edward Hugetz



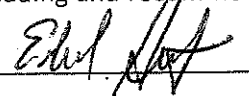
UHV comments received: Date: \_\_\_\_\_ Signed: \_\_\_\_\_

UH comments received: Date: 10/11/10 Signed: Edward Hugetz



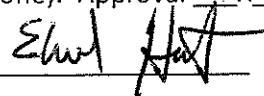
Proposal placed on Provosts' Council agenda for second reading and recommendation to SVC.

Second reading: Date: 10/15/10 Signed: Edward Hugetz



Provosts' Council recommendation (check one): Approval X Denial \_\_\_\_\_

Date: 10/15/10 Signed: Edward Hugetz



*(via phone)*

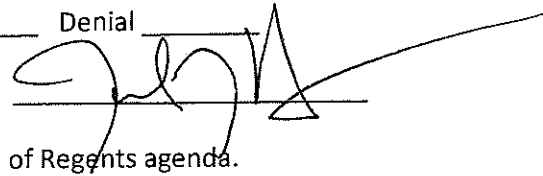
# UNIVERSITY OF HOUSTON SYSTEM

## PLANNING AUTHORITY – DEGREE PROPOSAL APPROVAL PROCESS

SVC considers recommendation and, if approved, forwards to the Chancellor.

SVC decision (check one): Approval  Denial

Date: 10/26/10 Signed by SVC: John Antel



6. Chancellor reviews and, if approved, puts on Board of Regents agenda.

Date: \_\_\_\_\_ Signed by Chancellor: Renu Khator

7. Board of Regents approval. Date: \_\_\_\_\_

8. Forms for THECB approval:

a) Bachelors and Masters degrees

Certification form sent to THECB: Date: \_\_\_\_\_ Signed: \_\_\_\_\_

b) Doctoral and Engineering degree proposals submitted to THECB for consideration and approval:

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

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

**COMMITTEE:** Academic and Student Success

**ITEM:** Approval is requested for the transfer of the University of Houston Department of Health and Human Performance from the UH College of Education to the UH College of Liberal Arts and Social Sciences

**DATE PREVIOUSLY SUBMITTED:**

**SUMMARY:**

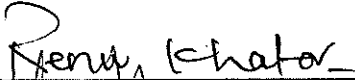
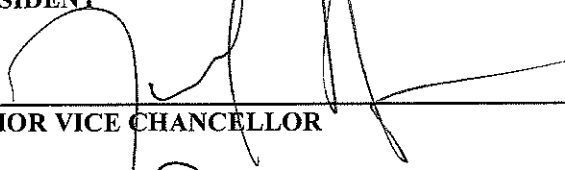
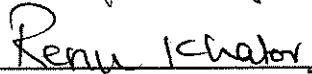
Board of Regents approval is requested to transfer the UH Department of Health and Human Performance from the College of Education to the College of Liberal Arts and Social Sciences. Doing so will facilitate the development of academic and research partnerships between Health and Human Performance and health-related programs in the College of Liberal Arts & Social Sciences (e.g., Psychology). This move supports the University of Houston's goal of enhancing institutional excellence in the health sciences. Board of Regents approval is required before the University of Houston can secure approval from the Texas Higher Education Coordinating Board.

**SUPPORTING DOCUMENTATION:** Description of University of Houston Department of Health & Human Performance (HHP)

**FISCAL NOTE:** NA

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

**COMPONENT:** University of Houston

PRESIDENT	 Renu Khator	11-3-10 DATE
SENIOR VICE CHANCELLOR	 John Antel	11/2/10 DATE
CHANCELLOR	 Renu Khator	11-3-10 DATE

**University of Houston**  
**Department of Health & Human Performance (HHP)**

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**HHP Educational Programs**

The Department of Health and Human Performance has as its major focus the understanding, development, and promotion of a healthy lifestyle. The department's undergraduate program offers a blend of academic coursework and fieldwork opportunities designed to develop highly informed and skilled professionals in the exercise, health and fitness, sports administration, and nutrition industries. The department also trains students to become top physical and health education teachers and coaches. Many of our students seek graduate degrees in the health sciences and often choose our graduate programs to further their education.

**HHP Research**

The HHP faculty is involved in a variety of research projects with collaborators at UH, the Texas Medical Center, NASA and other investigators throughout the world. HHP possesses world class research centers and a highly productive faculty that gives students a wide array of inter-disciplinary fields in which to work. HHP research centers include:

The Laboratory of Integrated Physiology (LIP) is a fully equipped human performance/physiology/biochemistry laboratory capable of performing a wide variety of human performance testing, including exercise testing, muscle strength assessment, motor co-ordination/motor performance testing, learning/memory assessment and biochemical analysis of biological samples.

The Understanding Neighborhood Determinants of Obesity (UNDO) Research Team conducts research anchored in an ecological framework that incorporates environmental and individual determinants of physical activity, dietary habits and obesity in populations of color. The work combines theory and techniques drawn from behavioral medicine, community psychology, geography, policy science, social ecology and social marketing.

The Texas Obesity Research Center (TORC) promotes interdisciplinary research, education and training and fosters local community collaborations to develop state-of-the-art obesity prevention and control methodologies through cross sectional and longitudinal research investigating psychosocial, environmental and biologic determinants of obesity and its consequences.

Control of posture and locomotion are complex functions that rely on coordinated interactions between the nervous system, the musculo-skeletal system, the cardiovascular system, and the environment. To study these functions, The Center for Neuromotor and Biomechanics Research (CNBR) brings together interdisciplinary research teams having expertise in engineering, physiology, clinical medicine, psychology, human factors, physics, mathematics, and computer science.

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

**COMMITTEE:** Facilities, Construction and Master Planning

**ITEM:** Approval is requested to delegate authority to the Chancellor to convey a ten foot wide perpetual easement to CenterPoint Energy Resources Corp.

**DATE PREVIOUSLY SUBMITTED:** NA

**SUMMARY:** Approval is requested to delegate authority to the Chancellor to convey a ten foot wide perpetual easement to CenterPoint Energy Resources Corp to reflect the changes in utility alignment. A ten foot wide easement of approximately 2,150 linear feet is required to accommodate the relocation of a natural gas line connected to the construction of CEMO Hall. The University will enjoy the benefit of a new natural gas line. The easement deed assures that this relocated natural gas line can be maintained. The University reserves the right to install paving over the easement. As the University will accrue substantial benefit from this new line, the consideration of \$1.00 is appropriate. The documents have been reviewed by the Office of General Counsel, Facilities and Planning and Construction, and Real Estate. Accuracy of the easement documents has been verified through site inspections.

**FISCAL NOTE:** NA

**SUPPORTING DOCUMENTATION:** Easement Checklist and Easement Survey

**ACTION REQUESTED:** Administration recommends approval this item.

**COMPONENT:** University of Houston

PRESIDENT	<i>Renu Khator</i> Renu Khator	11-3-10 DATE
EXECUTIVE VICE CHANCELLOR	<i>CP Carlucci</i> Carl Carlucci	10/29/10 DATE
CHANCELLOR	<i>Renu Khator</i> Renu Khator	11-3-10 DATE

The University of Houston  
Office of Real Estate Services  
Easement Checklist  
To be Completed Prior to Preparing Board of Regents Agenda Items

Prepared by: Tim Lewis

Date: July 13, 2010

SUMMARY OF EASEMENT TO BE GRANTED: The construction of the CEMO building necessitates the granting of a perpetual ten foot natural gas easement to the Grantee, CenterPoint Energy Resources Corp, in order to accommodate the installation of a replacement gas line. The existing natural gas line was within the footprint of the proposed building. The easement is approximately 2,150 feet in length. The rights to be conveyed to the Grantee include the installation of a replacement natural gas line, ingress and egress to that line for purposes of operations and maintenance, and removal of encroaching vegetation. Responsibilities of the Grantee include restoration of premises except for landscaping. UH retains the right to construct paving and driveways over the easement, but not buildings. UH is obligated to observe the Underground Facility Damage Prevention and Safety Act (Call Before You Dig).

NARRATIVE

1. **Name of Grantee (or Grantor), contact person, address, telephone number:** CenterPoint Energy Resources Corp., Anjum Pervaiz, 713-207-4619.
2. **Purpose and use of easement:** upgrade utility service and permit the safe operation, maintenance and repair of a natural gas line.
3. **Duration of easement:** perpetual
4. **Benefit to institution of easement:** continued safe operation of natural gas line. Continued natural gas service to the University.
5. **Detriment of easement:** no building can be constructed over the easement.
6. **Consideration for the easement, including statement of its adequacy.** The \$1 consideration is adequate given that the replacement gas line mutually benefits the University of Houston and CenterPoint
7. **Justification:** relocation of the natural gas line as a part of Cemo Hall construction
8. **Any known restrictions or reversions on property:** none known.
9. **Opposition to easement from individuals or groups:** none known.
10. **Ongoing requirements on behalf of both Grantor and Grantee:** UH shall observe "Call Before you Dig" requirements. UH shall install paving only under the provisions of the lease. CenterPoint shall restore the premises in the event of repair.
11. **Any additional information or other terms and conditions relative to UH decision to grant easement.** Rights and responsibilities of Grantor and Grantee have been clearly delineated.

SUPPORTING DOCUMENTS TO BE ATTACHED:

1. Recordable survey completed and attached? YES Name of preparer: John R. Chapman  
Date: 3/10/2010
2. Proposed easement in recordable form. Name of preparer. Surveying & Right of Way,  
CenterPoint Energy Houston, P.O. Box 1700, Houston, Tx. 77251-1700
3. Environmental Report, if required. None required.
4. Location map: Attached
5. Photo of Easement Area: Attached
6. Describe source documents from proposed easement: Grantee
7. Proposed Board of Regents: Agenda Item
8. Field verification conducted by: John Chapman Surveyors with UH verification by Katherine  
Miller and Bernie Harless.
9. Legal review conducted by Annamaria Rubenstein-Palla.

FOLLOWUP ACTIONS

1. Recorded deed returned to the Office of Real Estate Services
2. Office of Real Estate Services amends the Real Property database, including scanned images of  
the deed and the survey
3. Office of Real Estate forwards the survey to FPC for amendment of record drawings.

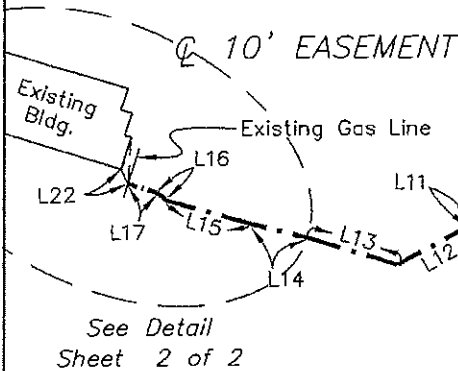


Bearing Basis:  
 Texas Coordinate System of 1983,  
 South Central Zone  
 (TXSC Zone 4204); NAD 83  
 Grid Coordinates as shown were  
 established by a Real Time Kinematic  
 Survey performed by CenterPoint  
 Energy in FEBRUARY of 2010, using  
 the Texas RTK Cooperative Network  
 Houston Virtual Reference System.  
 All Distances are  
 Surface.

Note:  
 See Line Table  
 Sheet 2 of 2

THE UNIVERSITY OF  
 HOUSTON  
 CAMPUS

United Gas Corporation  
 n.k.a. "CenterPoint Energy"  
 Existing Right of Way & Easement  
 Vol 1397, Pg. 187 D.R.  
 Vol. 3295, Page 571 D.R.



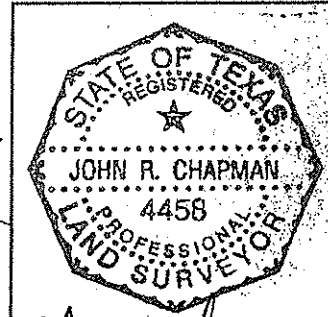
UNIVERSITY OF  
 HOUSTON SYSTEM  
 TRACT 1  
 Vol. 1478, Pg. 484, D.R.  
 Residue of 86.0618 Ac.  
 SECOND TRACT  
 Vol. 1478, Pg. 475, D.R.  
 Residue of 40.54 Ac.

LUKE MOORE  
 LEAGUE, A-51

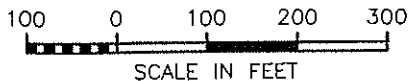
Fnd. 5/8" I.R.  
 in 1" G.I.P.

Fnd. I.R.  
 w/Plastic Cap  
 in Conc.  
 Mkd. "Miller Survey Group"

Sheet 1 of 2



*John R. Chapman*



NOTE: THE EXTERIORS OF ALL EASEMENTS ARE TO  
 INTERSECT WITH THE EXTERIORS OF ALL ADJOINING  
 EASEMENTS OR WITH ADJOINING PROPERTY LINES.

REV.1: JOB NO. BY: DATE: REV.2: JOB NO. BY: DATE:

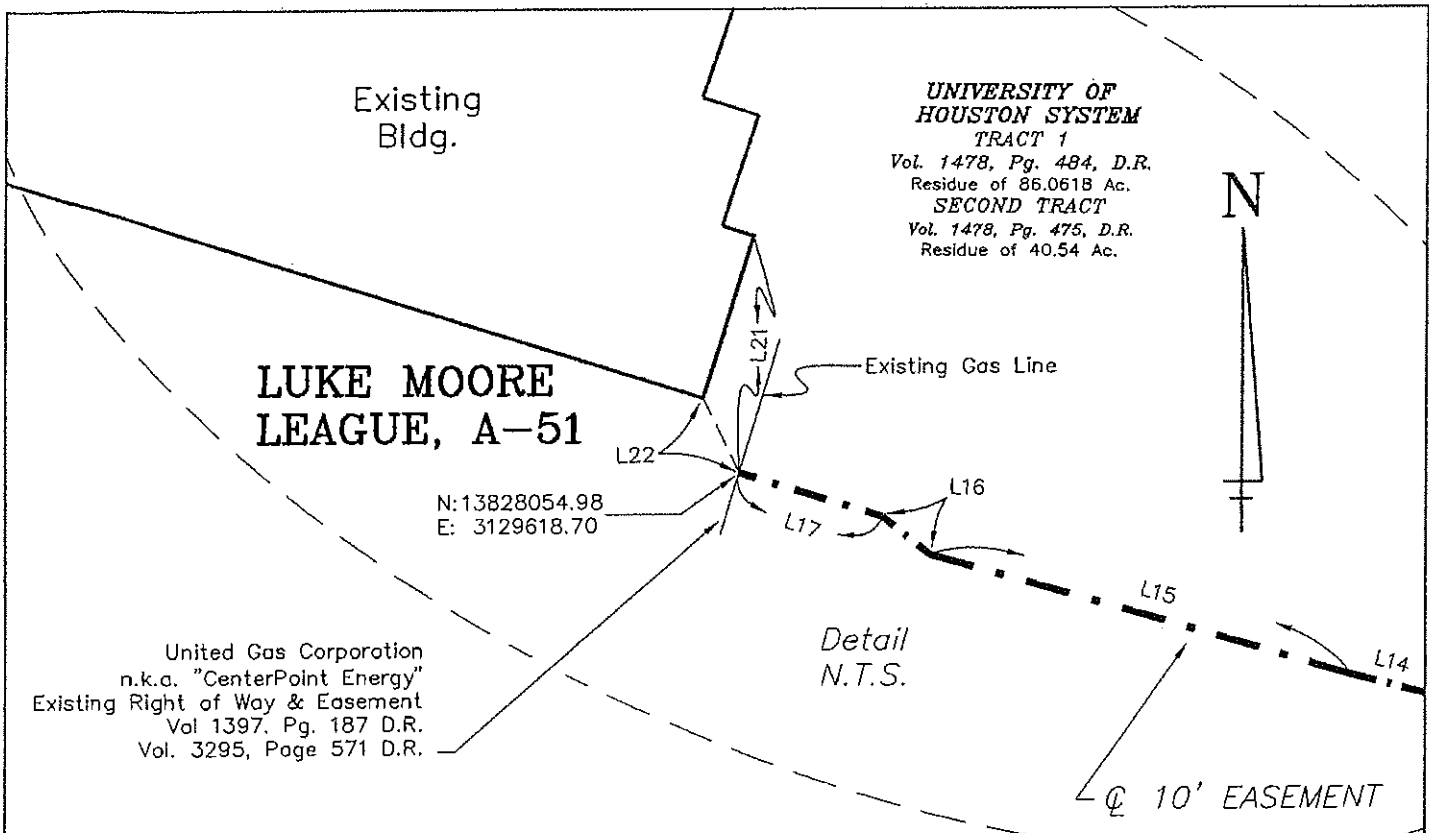
EASEMENT - UNOBSTRUCTED  
 COUNTY: HARRIS  
 DATE: 03/03/2010  
 SCALE: 1' = 200'  
 FILE NO. - BOOK: 2010

LAST PLOT DATE: 03/04/2010  
 DRAWN BY: A.W.P.  
 MAP NO: 5456D  
 JOB NO: 48187473C  
 CHECKED BY: J.R.C.

**CenterPoint Energy**  
 SURVEYING & MAPPING  
 P.O. Box 1700 Houston, TX 77251-1700  
 (713) 207-7777

SKETCH NO. 10-0061

CONSENT DOCKET  
 FCMP - 1.1.3



United Gas Corporation  
n.k.a. "CenterPoint Energy"  
Existing Right of Way & Easement  
Vol 1397, Pg. 187 D.R.  
Vol. 3295, Page 571 D.R.

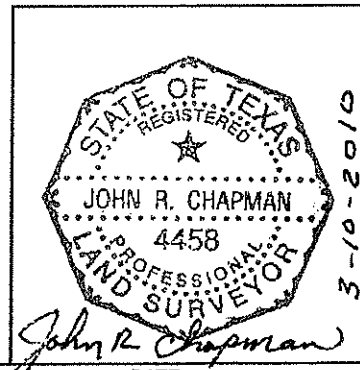
LINE	DISTANCE	BEARING
L1	128.85'	N 17°40'54" E
L2	109.03'	N 72°19'06" W
L3	49.30'	N 72°50'03" W
L4	56.61'	N 34°12'00" W
L5	159.72'	N 36°09'20" W
L6	137.44'	N 36°04'01" W
L7	41.52'	N 31°55'33" W
L8	40.52'	N 73°12'54" W
L9	59.77'	S 23°52'46" W
L10	159.62'	S 61°46'04" W
L11	9.98'	S 17°49'56" W
L12	89.61'	S 61°37'46" W
L13	103.75'	N 72°52'08" W
L14	66.14'	N 75°38'07" W
L15	97.13'	N 73°48'41" W
L16	13.31'	N 51°08'04" W
L17	33.26'	N 72°50'49" W
L18	310.52'	S 17°49'19" W
L19	163.87'	S 17°24'13" W
L20	132.13'	S 18°19'50" W
L21	52.50'	N 03°16'03" E
L22	18.33'	N 25°55'59" W
L23	124.59'	N 72°48'56" W

Bearing Basis:  
Texas Coordinate System of 1983,  
South Central Zone  
(TXSC Zone 4204); NAD 83  
Grid Coordinates as shown were  
established by a Real Time Kinematic  
Survey performed by CenterPoint  
Energy in FEBRUARY of 2010, using  
the Texas RTK Cooperative Network  
Houston Virtual Reference System.  
All Distances are  
Surface.



NOTE: THE EXTERIORS OF ALL EASEMENTS ARE TO INTERSECT WITH THE EXTERIORS OF ALL ADJOINING EASEMENTS OR WITH ADJOINING PROPERTY LINES.

Sheet 2 of 2



REV.1:JOB NO.	BY:	DATE:	REV.2:JOB NO.	BY:	DATE:
EASEMENT - UNOBSTRUCTED	LAST PLOT DATE: 03/04/2010		<b>CenterPoint Energy</b> SURVEYING & MAPPING P.O. Box 1700 Houston, TX 77251-1700 (713) 207-7777		
COUNTY: HARRIS	DRAWN BY: A.W.P.				
DATE: 03/03/2010	MAP NO: 5456D				
SCALE: N/A	JOB NO: 48187473C				
FILE NO. - BOOK: 2010	CHECKED BY: J. CONSENT DOCKES		SKETCH NO.	10-0061A	

**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 a multi-year contract for vendor managed inventory (VMI) at University Stores at the University of Houston.

**DATE PREVIOUSLY  
SUBMITTED:**

**SUMMARY:**

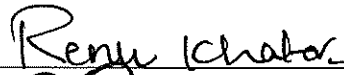

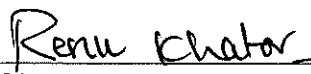
Approval is requested to delegate authority to the Chancellor to negotiate and execute a multi-year contract for vendor managed inventory (VMI) at University Stores, which purchases all materials and supplies for the Facilities Department at the University of Houston.

**SUPPORTING  
DOCUMENTATION:** Description of inventory

**FISCAL NOTE:** Estimated annual purchases under the VMI contract are \$1.4 million with an estimated annual savings of 10% or \$140,000.

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

**COMPONENT:** University of Houston

	Renu Khator	11-3-10
<b>PRESIDENT</b>		<b>DATE</b>
	Carl Carlucci	10/29/10
<b>EXECUTIVE VICE CHANCELLOR</b>		<b>DATE</b>
	Renu Khator	11-3-10
<b>CHANCELLOR</b>		<b>DATE</b>

## University Stores Inventory Items

University Stores purchases all materials and supplies for the Facilities Maintenance department at the University of Houston. Below is a list of common items purchased by Stores for different areas of Facilities Maintenance. Most of these items would be purchased through the vendor-managed inventory (VMI) contract for a cost savings of approximately \$140,000 per year.

Facilities Maintenance Area	Items Typically Purchased by Stores
Auto Shop	<ul style="list-style-type: none"> <li>• Tires</li> <li>• Batteries</li> <li>• Engine belts</li> <li>• Oil</li> <li>• Filters</li> </ul>
Utilities Services <ul style="list-style-type: none"> <li>• Electrical</li> <li>• HVAC</li> <li>• Fire Alarm</li> <li>• Elevator</li> </ul>	<ul style="list-style-type: none"> <li>• Lamps</li> <li>• Fuses</li> <li>• Wire</li> <li>• Outlet covers</li> <li>• Filters</li> <li>• Masks</li> </ul>
Skilled Trades <ul style="list-style-type: none"> <li>• Painting</li> <li>• Plumbing</li> <li>• Carpentry</li> <li>• Exterior Maintenance</li> </ul>	<ul style="list-style-type: none"> <li>• Paint and paint supplies</li> <li>• Pipe and pipe fittings</li> <li>• Lumber</li> <li>• Nails</li> <li>• Saw blades</li> <li>• Masks</li> <li>• Rubber boots</li> <li>• Rain jackets</li> <li>• Small tools</li> <li>• Ladders</li> <li>• Cement</li> <li>• Roofing products</li> </ul>
Lock Shop	<ul style="list-style-type: none"> <li>• Keys</li> <li>• Locks</li> <li>• Aerosol sprays and lubricants</li> </ul>
Custodial and Grounds	<ul style="list-style-type: none"> <li>• Trash cans</li> <li>• Liners</li> <li>• Cleaning products</li> <li>• Paper towels</li> <li>• Floor dry</li> <li>• Goggles</li> <li>• Cleaning solvent</li> <li>• Toilet paper</li> </ul>
All Areas	<ul style="list-style-type: none"> <li>• Uniforms</li> <li>• Gatorade</li> </ul>

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 the contract to provide custodial service for the University of Houston Downtown.

DATE PREVIOUSLY SUBMITTED: N/A

SUMMARY:

Approval is requested to delegate authority to the Chancellor to negotiate and execute the custodial service contract with SSC Service Solutions upon agreement of the general terms and conditions. The existing custodial service expires on December 31, 2010. The contract will be for four and a half years ending June 30, 2015, with options to renew for two additional years consecutively.

FISCAL NOTE: \$4,191,229 (for an initial 4.5 year term)

SUPPORTING DOCUMENTATION: UHD Campus Custodial Services Process Review

ACTION REQUESTED: Administration recommends the approval of this item.

COMPONENT: University of Houston-Downtown

  
\_\_\_\_\_  
PRESIDENT

William Flores

11-1-2010  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
EXECUTIVE VICE CHANCELLOR

Carl Carlucci

11/1/2010  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
CHANCELLOR

Renu Khator

11-3-10  
\_\_\_\_\_  
DATE

**Evaluation Criteria / Scoring Methodology**  
**UHD Custodial Contract – Nov. 2010**

Below are the criteria and scoring system used in evaluating the bids received by UHD for custodial services. The University disqualified numbers when there was a very significant deviation from the median (considered ‘outliers’).

Total Base Bid (65 points max) – Formula driven. The lowest-price bidder received the maximum points, with the other bidders awarded points on a pro-rata basis according to the relationship between their bid and the low bid. Ex., if the next-lowest bid were 10 percent below the lowest bid, that bidder would receive 58.5 points (65 X .90)

Minimum Monthly Personnel Hours (10 points max) – Formula driven. The bidder (of those not disqualified due to their posting of an ‘outlier’ number) offering the highest *Minimum Monthly Personnel Hours* figure received the maximum points, with the other bidders awarded points on a pro-rata basis according to the relationship between their bid and the best bid.

Minimum Monthly Personnel Head Count (10 points max) - Formula driven. The bidder (of those not disqualified due to their posting of an ‘outlier’ number) offering the highest *Minimum Monthly Personnel Head Count* figure received the maximum points, with the other bidders awarded points on a pro-rata basis according to the relationship between their bid and the best bid.

Total Square Footage of Buildings (5 points max) - Formula driven. The bidder (of those not disqualified due to their posting of an ‘outlier’ number) whose number was the median of those submitted for *Total Square Footage of Buildings* received the maximum points, with the other bidders awarded points on a pro-rata basis according to the relationship between their estimate and the median figure (regardless of whether above or below).

AIA Qualifications Statement (5 points max) – This is a more subjective category. Each evaluator ‘scored’ each bidder independently based on the evaluator’s determination of the bidder’s AIA and financial qualifications, with those scores then being averaged. Therefore, it was possible for more than one bidder to achieve the same score.

Higher Education Experience (5 points max) – This is a more subjective category. Each evaluator ‘scored’ each bidder independently based on the evaluator’s determination of the bidder’s Higher Education Experience, with those scores then being averaged. Therefore, it was possible for more than one bidder to achieve the same score.

(Submitted 10/27/2010)

## **Narrative - Custodial Contract – UH Downtown – November 2010 BOR Meeting**

At its April 21, 2009 meeting, the UHS Board of Regents (BOR) approved a five-year contract for WFF Facilities Services to provide custodial services for the UH-Downtown (UHD) campus. The contract went into effect on July 1, 2009. Shortly after commencing with service, WFF reported that it was not able to perform the required services for the agreed-upon price, claiming that important information was not conveyed during the bidding process. In March 2010 it was decided by both parties that terminating the agreement as provided by the terms of the contract would be the best course of action. WFF's last day to perform custodial services for UHD was May 14, 2010.

In April 2010, exercising the emergency provisions in university procurement policy, UHD approached SSC Service Solutions (SSC), its previous custodial services provider, to see if SSC would be interested in picking up the service from the time WFF vacated until the time a new provider could be selected through a competitive bidding process. SSC was contacted because it was expected that their previous experience with UHD would enable them to come in and be immediately effective. The ensuing agreement with SSC ran from May 14, 2010 through December 31, 2010. SSC would be paid per the bid they had submitted in Spring 2009, which was \$78,917/mo. The university had been paying WFF \$74,668/mo for these services.

The December 31<sup>st</sup> date was selected because UHD needed to re-write the bid specifications to ensure no future misunderstandings regarding scope, and because under normal circumstances there needs to be a sufficient break in the university's normal operations to allow for the transition to a new contractor (staff training, bringing in equipment, etc.). The ideal time to make such a transition is the summer, which is why the UHD custodial contract typically expires on June 30<sup>th</sup>. The contract the university is asking the Board to approve on Nov. 17<sup>th</sup> will expire on June 30, 2015 (with a two year renewal option).

After it was determined in mid-March 2010 to terminate with WFF, UHD did not have adequate time to revise the specifications and solicit bids for the May 2010 BOR meeting. The August 2010 BOR meeting was also problematic in that the meeting date (August 17<sup>th</sup>) was only six days before the start of the Fall 2010 semester (August 23<sup>rd</sup>). The 2010 Winter Break was viewed as the most opportune time to make a changeover, so the November 2010 meeting was determined to be the best time to bring the new contract before the Board.

The key dates/event in the course of this re-bid are as follows:

Posted to the Electronic State Business Daily (August 12, 2010)  
Voluntary Pre-Proposal Conference (August 31, 2010)  
Mandatory Site Visit (by September 13, 2010, must have signed in with Purchasing Dept)  
Bids received/opened by UHD Purchasing Dept (September 22, 2010)  
Recommended vendor submitted to BOR for approval (November 17, 2010)

As can be seen from the bid tabulation sheet (attached), the bidder/contractor receiving the highest point score based on the evaluation criteria used by the UHD evaluation team was SSC Service Solutions. SSC's aggregate score was 94.9, with the next highest score of 81.3 going to GCA Services. In terms of price, which is of particular interest in these times of tightening budgets, SSC was 19 percent below the next-lowest bid (McLemore), which equates to approximately \$978,000 less over the life of the 4.5 year contract. A detailed description of the evaluation criteria and how they were applied is also attached.

RE: Narrative - Custodial Contract  
October 27, 2010  
Page 2

While the bidders are not required to use HUB subcontractors, they are required to submit a HUB plan. In the case of SSC they pointed out that they are currently outsourcing to a HUB firm 18% of the contract, and that they expect to meet or exceed that if selected. The bidders cannot lock their HUB participation numbers in until after they have been awarded the contract.

Another positive aspect to the selection of SSC is that because they are already operating on campus, there will be no need to pay for the overlap associated with a transition (generally 10-14 days where you are paying two vendors as one leaves and the other comes on). This will result in a one-time savings to the university of \$37,021.

(Submitted 10/27/2010)



**SUMMARY SCORES**

bidder	total base bid - 6S points available	% over lowest base bid	points earned	min monthly personnel hours - 10 points available	points earned	min monthly personnel heads - 10 points available	points earned	total square footage of bldgs - 5 points available	points earned	AIA qualifications statement - 5 points available	points earned	higher education experience - 5 points available	points earned	TOTAL POINTS EARNED
OJS Maintenance	\$5,609,324.00	33.8	43.0	11483	0	1798	0	1,388,000	0	-	3.0	-	1.3	47.3
Service Corp	\$4,191,229.07	n/a	65	5833	8.3	35	8.3	934,309	4.6	-	4.3	-	4.3	94.9
Facility Services	\$5,528,180.50	31.9	44.3	272	0	34	8.1	1,026,997	4.9	-	4.0	-	5.0	66.3
GA Services	\$5,398,218.48	28.8	46.3	7000	10	42	10	1,013,618	5	-	5.0	-	5.0	81.3
Lemore Building Maint	\$5,169,046.00	23.3	49.8	5833	8.3	735	0	915,834	4.5	-	4.3	-	3.7	70.7
	lowest	\$4,191,229.07		median	5833	median	42	median	1,013,618					

F&A - 2.14  
 CONSENT DOCKET

UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS AGENDA

COMMITTEE: Finance and Administration

ITEM: Purchase Order for Public Broadcasting Services

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

Approval is requested to continue KUHT's 100% participation in the Public Broadcasting Service's National Program Service, Member Service, Plus Assessment, Copyright Assessment and Station Independence Programs for Fiscal Year 2011.

Public Broadcasting Service – 2011 fees \$1,964,451.00

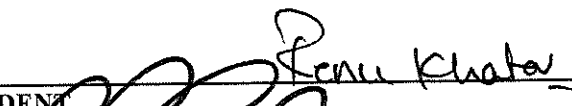

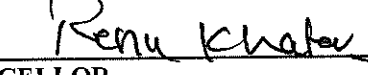
Paid by Corporation for Public Broadcasting's Community Service Grant \$1,576,516 and the Television Interconnection Grant \$30,387 with the remainder paid from community support.

SUPPORTING  
DOCUMENTATION:

FISCAL NOTE: \$ 1,964,451.00

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

COMPONENT: University of Houston

PRESIDENT	 Renu Khator	DATE	11/5/10
EXECUTIVE VICE CHANCELLOR	 Carl Carlucci	DATE	11/4/10
CHANCELLOR	 Renu Khator	DATE	11/5/10

CONSENT DOCKET

F&A – 3

## Public Broadcasting Services

The 2011 fee for KUHT's participation in the Public Broadcasting Service is \$1,964,451.00. Payment of this fee allows channel 8 to continue to broadcast the following programs: Nature, NOVA, American Masters, Antique Roadshow, Great Performances, Masterpiece, Frontline, Newshour, Nightly Business Report, NOW, Washington Week plus many children's programs as Arthur, Barney & Friends, Cyberchase, Mister Rogers', Sesame Street and many others.

UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS AGENDA

COMMITTEE: Audit & Compliance

ITEM: Review and Approval of Audit Report and Financial Statements, University of Houston Charter School, FY 2010

DATE PREVIOUSLY SUBMITTED:

SUMMARY: Approval is requested for the Audit Report and Financial Statements of the University of Houston Charter School for Fiscal Year 2010. Certification of the audit and financial information by the Board is required by the Texas Education Code, Title 2, Chapter 44, Section 44.008(d).

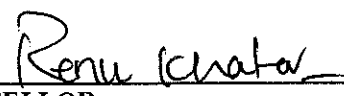
SUPPORTING DOCUMENTATION: Audit Report and Financial Statements of the UH Charter School for FY 2010 and Texas Education Agency required Certification Form (under separate cover)

FISCAL NOTE:

RECOMMENDATION/  
ACTION REQUESTED: Administration recommends approval of this item

COMPONENT: University of Houston System

  
\_\_\_\_\_  
CHIEF AUDIT EXECUTIVE Don Guyton DATE 10/29/10

  
\_\_\_\_\_  
CHANCELLOR Renu Khator DATE 11-3-10

~~CONSENT DOCKET~~

**CERTIFICATE OF BOARD**

University of Houston System  
(Federal Employer Identification Number: 74-6001399)  
Charter Holder for  
University of Houston Charter School  
(County – District Number: 101-807)

We, the undersigned, certify that the attached Annual Financial Report and Compliance Report of the University of Houston Charter School were reviewed and (check one)   X   approved            disapproved for the year ended August 31, 2010, at a meeting of the Board of Regents of the charter holder on the 17th day of November, 2010.

\_\_\_\_\_  
Signature of Board Secretary

\_\_\_\_\_  
Signature of Board President

Note:

If the governing body of the charter holder does not approve the independent auditors' report, the reason(s) for disapproving it is (are):

(Attach list as necessary, including a written statement discussing the reason(s) for not approving the report)



**UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS**

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**BOARD OF REGENTS  
MEETING**

**COMMITTEE  
REPORTS**

**Wednesday, November 17, 2010**

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

**COMMITTEE:** Facilities, Construction and Master Planning

**ITEM:** Approval is requested of the Committee members and their appointment terms for the System-wide Art Acquisition Committee (SWAAC).

**DATE PREVIOUSLY SUBMITTED:**

**SUMMARY:**

Approval is requested of the Committee members and their appointment terms for the System-wide Art Acquisition Committee (SWAAC).

A revised policy of the System-wide Art Acquisition Committee (SWAAC) was approved by the Board in August. The recommended Committee members and their terms were chosen per that policy.

**SUPPORTING DOCUMENTATION:** Recommended SWAAC Roster

**FISCAL NOTE:** No additional costs

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

**COMPONENT:** University of Houston System

\_\_\_\_\_  
**PRESIDENT**



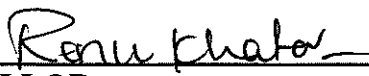
\_\_\_\_\_  
**EXECUTIVE VICE CHANCELLOR**

Carl Carlucci

\_\_\_\_\_  
**DATE**

10/29/10  
**DATE**

\_\_\_\_\_  
**CHANCELLOR**



Renu Khator

\_\_\_\_\_  
**DATE**

11-3-10

**University of Houston System**  
**System Wide Art Acquisition (“SWAAC”) Committee Roster**  
**November 2010 Appointments**

<b>SWAAC Member</b>	<b>Affiliation/Museum</b>	<b>Appointer</b>	<b>Term Expires</b>
David Irvin	Chair, Associate Vice Chancellor/Vice President for Plant Operations	Policy at III a.	Indefinite
Michael Guidry	Curator UHS Art Collections	Policy at III a.	Indefinite
Claudia Schmuckli	Director, Blaffer Gallery	Policy at III a.	Indefinite
Welcome W. Wilson, Sr.	Regent	Chair, Board of Regents	Sept. 1, 2011 (staggered term)
Nandita Berry	Regent	Chair, Board of Regents	Sept. 1, 2012 (staggered term)
Elaine Jefferson	Community Representative	Chancellor	*
TBA	Community Representative	Chancellor	*
Clint Willour	Museum Representative Galveston Arts Center	Chancellor	*
Kim Davenport	Museum Representative Rice University Art Gallery	Chancellor	*
Alison de Lima Greene	Museum Representative Museum of Fine Arts	Chancellor	*
Toby Kamps	Museum Representative Menil Collection/Museum	Chancellor	*
Charles Alcorn	UH Victoria	UHV President	*
Mark Cervenka	UH Downtown	UHD President	*
Mary Ann Shallberg	UH Clear Lake	UHCL President	*
Karen Farber	UH	UH President	*

\* The two community Representatives, the four museum representatives, and the representatives from each university serve staggered three year terms beginning September 1, 2010. Each of these appointees will draw lots by category to determine whose term will end August 31, 2011, August 31, 2012, and August 31, 2013.



## **System Wide Art Acquisition Committee (“SWAAC”)**

### **Brief biographical information on proposed SWAAC Member (non-UHS employees):**

#### **Clint Willour, Curator, Galveston Arts Center (Museum Representative)**

Clint Willour has been an arts professional for over 35 years. From 1973 – 1989 he served as director of a commercial gallery in Houston. Since 1990 he has been the curator of the Galveston Arts Center, serving additionally as Executive Director from 1995 – 2005. He has curated over 400 exhibitions for the institution. In addition he curates exhibitions and serves as a juror for numerous commercial and non-profit organizations throughout the United States as well as serving on selection panels for the Houston Arts Alliance, The Texas Commission on the Arts, The San Antonio Arts Commission and the Louisiana State Commission on the Arts. He currently serves on six committees at the Museum of Fine Arts, Houston; the Board of Directors and two committees at the Houston Center for Contemporary Craft; the advisory board and the exhibition committee at the Houston Center for Photography; the travelling and changing exhibitions committees of the Holocaust Museum Houston; the board of the William A. Graham Artists’ Emergency Fund; the art board of Fotofest Houston, the Civic Art and Design Committee of the Houston Arts Alliance and the Art Advisory Committee of Discovery Green. He was given the Arts Professional Legend Award by the Dallas Contemporary Art Center in 2001 and was named the Texas Art Patron of the Year 2007 by Art League Houston.

#### **Kim Davenport, Curator, Rice Gallery (Museum Representative)**

Kim is a graduate of Yale and a former member of the General Services Administration’s Art and Architecture Program commissioning artists for public art, sat on numerous artist grant panels and juries. In 2003 named Houston’s Best Curator by the Houston Press. Kim continues to garner attention and mount amazing art installations at Rice Gallery working with young and mid career artists.

#### **Alison de Lima Greene, Curator Contemporary Art & Special Projects, Museum of Fine Arts Houston (Museum Representative)**

Before moving to Texas, Alison worked in the department of European Paintings at the Metropolitan Museum of Art and lectured at The Cooper Union. In the spring of 2000, she published the award-winning catalogue *Texas: 150 Works from the Museum of Fine Arts, Houston*. Other publications include a collection catalogue profiling the museum’s Lillie and Hugh Roy Cullen Sculpture Garden and a survey of the MFAH’s 25-year Core Program for resident artists and writers. Outside the MFAH, Alison has served as a trustee and Vice President of the Association of Art Museum Curators and is an advisory trustee of *Gulf Coast* literary magazine.

**Toby Kamps**, Curator of Modern and Contemporary Art, Menil Collection (Museum Representative)

A graduate of the Williams College Graduate Program in the History of Art and the Getty Museum Leadership Institute, Kamps has written on contemporary art and artists for numerous exhibition catalogues and magazines. Toby received great acclaim for his exhibition *The Old, Weird America, No Zoning: Artists Engage Houston* at the Contemporary Arts Museum in Houston where he was Senior Curator until his recent appointment at the Menil. In 2008, *The Old Weird America* won the award “Best Thematic Museum Show Nationally” from the International Association of Art Critics. Prior to his CAMH appointment, Director of the Institute of Contemporary Art, Maine College of Art, Portland; and Curator at the Museum of Contemporary Art San Diego.

**Elaine Jefferson**, Lawyer, Small Business Owner (Community Representative)

Elaine is a native Houstonian and the daughter of an aspiring artist who taught art in several inner city schools. Although an attorney and public policy specialist by trade, Elaine has served on numerous community and art related boards including the Contemporary Arts Museum of Houston and the Blaffer Art Museum. Elaine is passionate about the public's access to art and knows that to become a world class city, we must showcase our dynamic art community. In addition to her practice in the Law offices of Dwight Jefferson, she has served as Vice President of Public Policy and Manager of Health and Fiscal Policy for the Greater Houston Partnership.

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

**COMMITTEE:** Finance and Administration

**ITEM:** Approval requested for the purchase and installation of a Metal Organic Chemical Vapor Deposition (MOCVD) System for Photovoltaics, Thermoelectrics and Solid State Lighting.

**DATE PREVIOUSLY  
SUBMITTED:  
SUMMARY:**



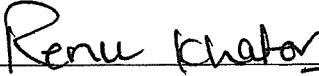
Approval requested for the purchase and installation of a Metal Organic Chemical Vapor Deposition (MOCVD) System for Photovoltaics, Thermoelectrics and Solid State Lighting.

**SUPPORTING DOCUMENTATION:** Purchase of MOCVD System Description

**FISCAL NOTE:** Estimated purchase under the MOCVD System contract is \$1.5 million.

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

**COMPONENT:** University of Houston

PRESIDENT	 Renu Khator	11-3-10 DATE
EXECUTIVE VICE CHANCELLOR	 Carl Carlucci	10/29/10 DATE
CHANCELLOR	 Renu Khator	11-3-10 DATE

## **Purchase of MOCVD System**

The University of Houston has unique technology to fabricate high-performance thin films on inexpensive substrates. This technology has been commercially implemented in production of high temperature superconducting wires for electric-power applications. In a project funded by the U.S. Department of Energy, researchers at UH have already demonstrated that this technology can be beneficially applied to thin film photovoltaics for the development and commercialization of high-efficiency, low-cost solar cells. Also, in a National Science Foundation-funded program, UH researchers are proving out the potential benefit of this approach to fabricate high-efficiency thermoelectrics that generate electricity directly from waste heat (no moving parts).

The University of Houston needs to purchase equipment to complete the fabrication of thin film photovoltaic cells and thermoelectric modules, in order to fully prove the commercial feasibility of the University's underlying thin film technology in these applications. For this purpose, Dr. Selvamanickam's research team has identified a novel Metal Organic Chemical Vapor Deposition (MOCVD) system with multifunctional features to fabricate various types of materials on the University's unique templates using a reel-to-reel thin film process. This type of equipment does not exist anywhere in the world and therefore is being custom designed. The requested MOCVD equipment will provide a common platform that can be applied towards a number of energy applications that are of significant interest to both public and private institutions. The equipment is to be housed in the UH Energy Research Park in a dedicated building (Building 15).

The University of Houston will benefit from this purchase in the following ways:

- Unique capability to create low cost, high efficiency photovoltaics, thermoelectrics, and solid state lighting by reel-to-reel continuous scale-able processing. Industry and federal agencies have shown great interest in this technology, and possessing this unique capability should help to attract well funded research programs as well as develop valuable intellectual property for the University.
- Transition of know-how to industry should spur economic development and create significant royalty revenue for University of Houston.
- Attract energy companies to University of Houston's Energy Research Park that can benefit from contracting the use of this equipment as a test bed to prove novel concepts.
- Training of UH students in advanced materials processing and state-of-the-art advanced commercial scale process equipment.
- Meeting milestones of the University of Houston's Texas Center for Superconductivity – Applied Research Hub that was recently funded by the State of Texas Emerging Technology Fund (ETF), which included development and commercialization of at least two new energy areas in addition to superconductors. The purchase of this equipment will also be counted as part of the University's match required by the ETF.

# F&A2: Metal Organic Chemical Vapor Deposition (MOCVD) System for Photovoltaics, Thermoelectrics and Solid State Lighting.

Applied Research Hub of Texas Center for Superconductivity  
at University of Houston

Professor Venkat Selvamanickam

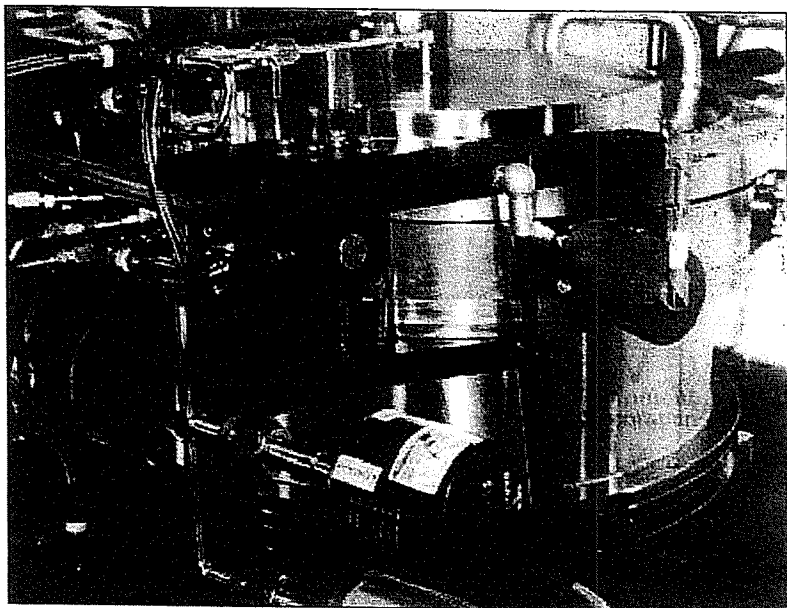
*M.D. Anderson Chair Professor of Mechanical Engineering,  
Director, Applied Research Hub, TCSUH*

F&A-4.1.2

# Metal Organic Chemical Vapor Deposition (MOCVD) System for Photovoltaics, Thermoelectrics and Solid State Lighting.

## Metalorganic CVD System (MOCVD/MOVPE)

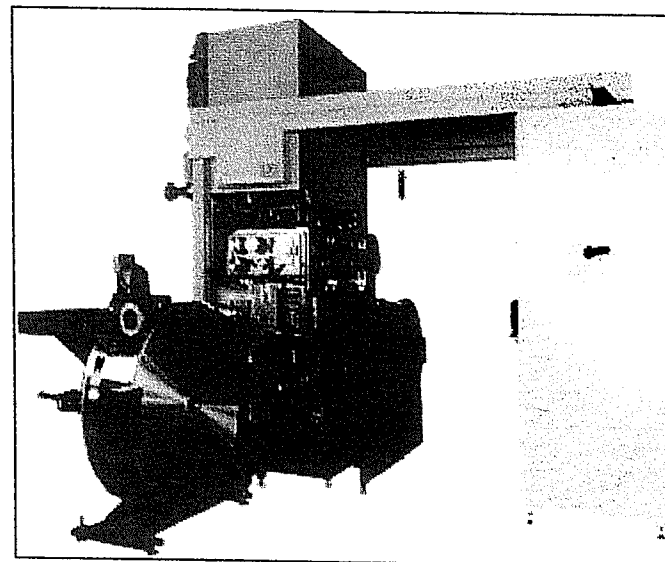
Chamber



CVD Equipment Corporation's Metalorganic CVD, MOVPE system offers Stainless Steel or Quartz Chamber.

## Motion Control/Vacuum Chamber

MOCVD Reel-to-Reel tape process system



Complete MOCVD process system for tape loading/protective tape covering removal, MOCVD (multi pass) and unloading all under vacuum.

F&A - 4.1.3

Similar to first tool approved by BOR May 2010

# Applied Research Hub

- Formed in 2010 with funding from the state of Texas through the Emerging Technology Fund.
- Objective is technology development for specific applications and technology transfer leading to a commercial cluster of industries in Texas.

ER&A-4.1.4

The initial focus of the Applied Research Hub is on power applications of high temperature superconducting wire.

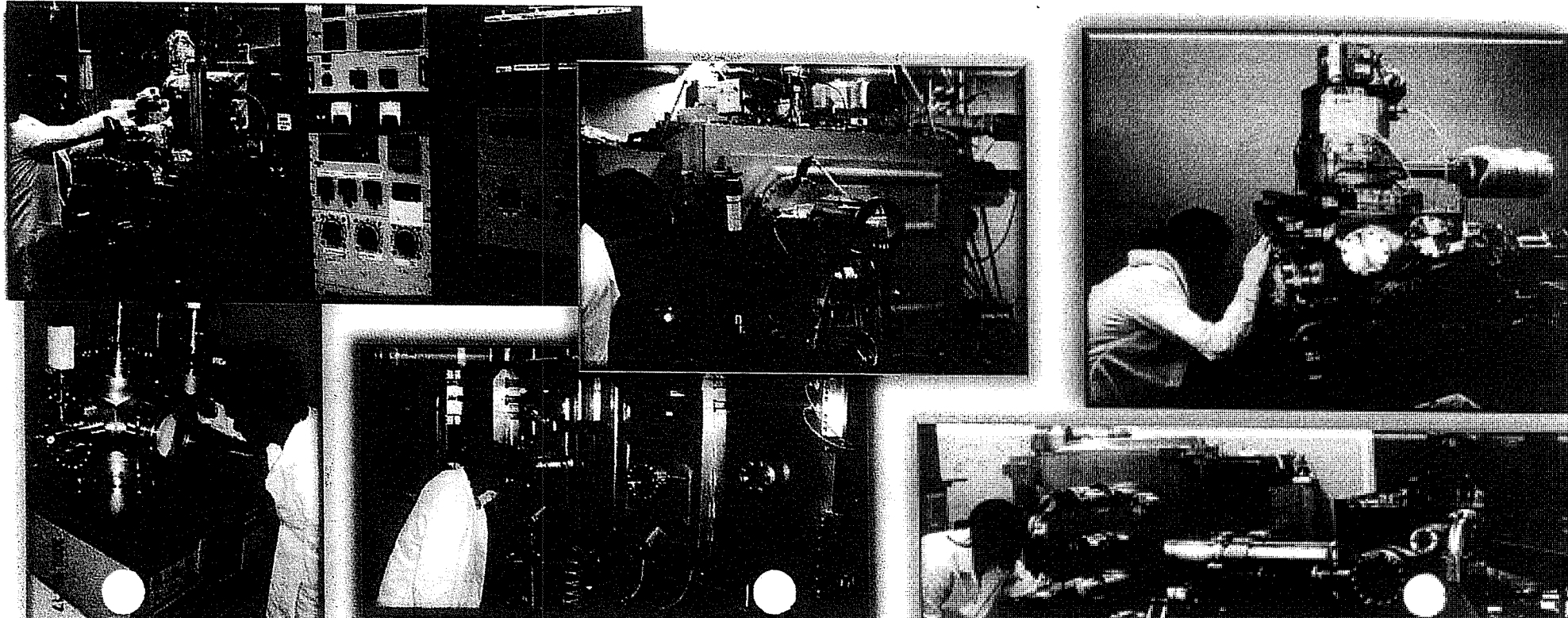
Expanding to:

- high magnetic field applications of superconducting wire.
- new energy applications (photovoltaics, etc) using foundation technology developed for superconducting wire
- Labs now in Engineering and TCSUH, expanding to UH ERP Building #15

# State-of-the-art facilities for materials research for energy applications

- State-of-the-art reel-to-reel systems for Ion Beam Assisted Deposition, Magnetron & Ion Beam Sputtering, Electron-beam Evaporation, Metal Organic Chemical Vapor Deposition (MOCVD), Solution coating for various materials
- Advanced characterization facilities (two TEMs, XRD, SEM, Microprobe, FIB, SIMS, XPS, Raman Spectroscopy). New tools being set up using Emerging Technology Fund.

F&A

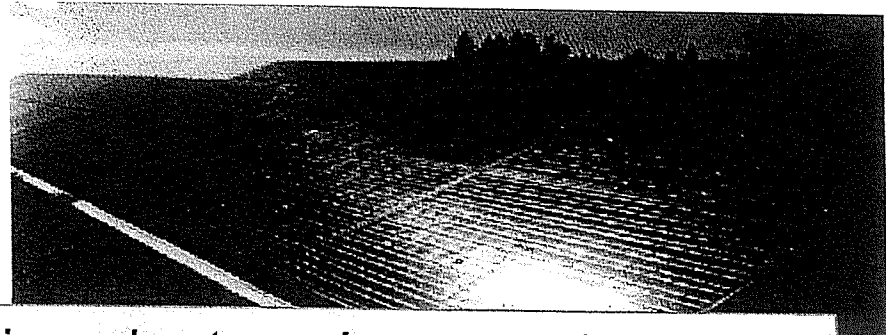
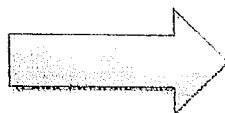
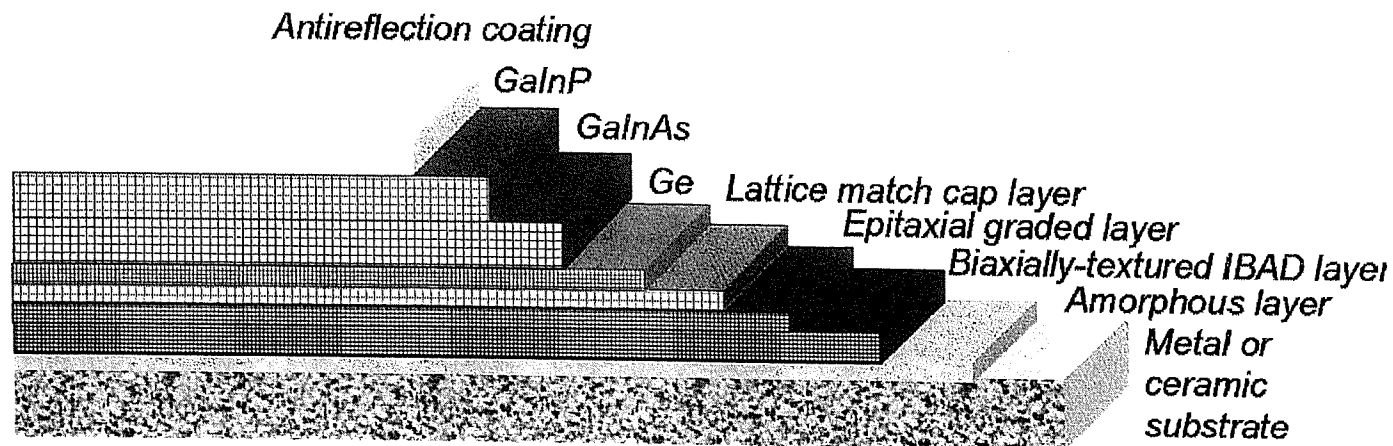
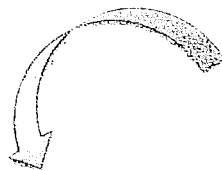




# Novel photovoltaic thin film technology for high performance, lower cost solar cells

- 90% of solar cells are made of crystalline silicon. The material itself constitutes 1/2 of the module cost.
- Compound semiconductor solar cells are lot more efficient (40%) compared to silicon (~ 20%) but are very expensive because of single crystal substrates needed.
- Our approach is to fabricate high efficiency PV cells on inexpensive flexible, practical substrates that have been used for superconducting tapes.

F&A - 4.1.6



Proof of concept demonstration of thin film solar cell technology on flexible substrate

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

**COMMITTEE:** Finance and Administration

**ITEM:** Presentation of the Preliminary Fiscal Year 2010 University of Houston System Annual Financial Report Summary

**DATE PREVIOUSLY**

**SUBMITTED:**

**SUMMARY:**

Presentation of the Preliminary Fiscal Year 2010 University of Houston System Annual Financial Report Summary.

**SUPPORTING DOCUMENTATION:** Annual Financial Report Summary

**FISCAL NOTE:** N/A

**RECOMMENDATION/  
ACTION REQUESTED:** Information

**COMPONENT:** University of Houston System

\_\_\_\_\_  
**PRESIDENT**



\_\_\_\_\_  
**EXECUTIVE VICE CHANCELLOR**

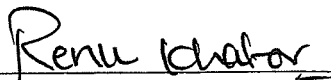
Carl Carlucci

\_\_\_\_\_  
**DATE**

16/29/10

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**CHANCELLOR**



Renu Khator

\_\_\_\_\_  
**DATE**

11-3-10

# University of Houston System

## Overview of the Preliminary Annual Financial Report For FY 2010

F&A-5.1.1

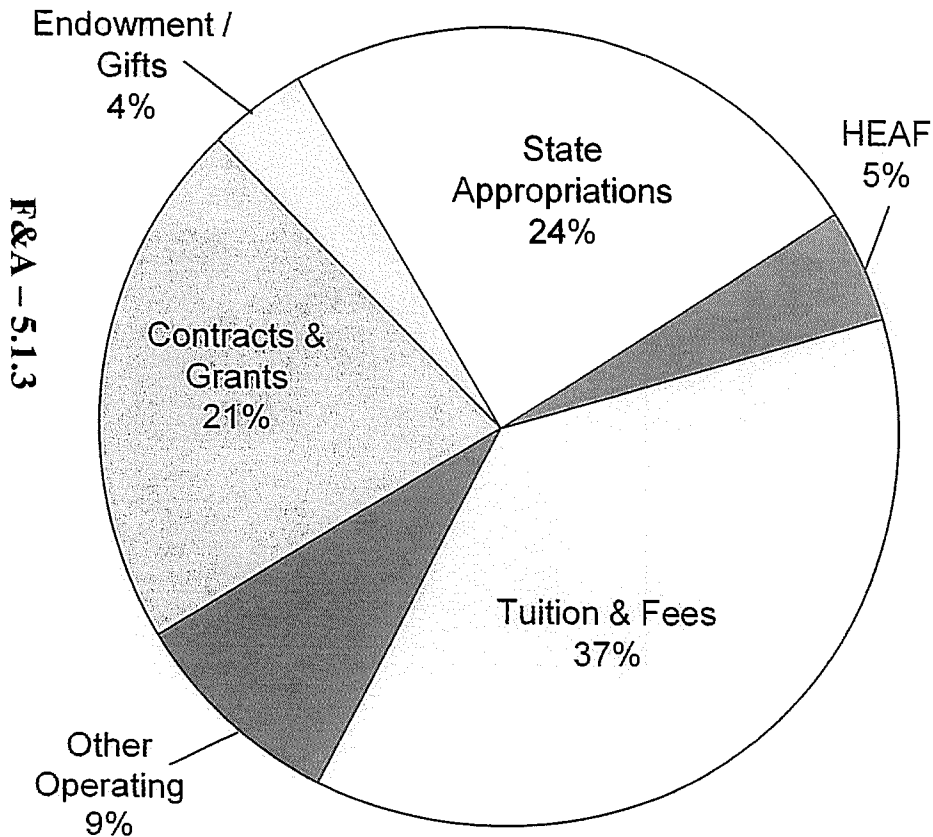
November 17, 2010

# University of Houston System FY 2010 Annual Financial Report Timeline

- **Aug 31** - Fiscal year end
- **Sep 27** - Departmental accounting activity completed
- **Oct 22** - Ledger closed and preliminary management review completed
- **Oct 28** - Final management review completed
- **Nov 17** - Financial results for all UHS presented to Board of Regents
- **Nov 20** - AFR submitted to State Comptroller & State Auditor
- **Feb 28** - Statewide comprehensive audit completed

# University of Houston System Combined FY 2010 Preliminary Results of Operations

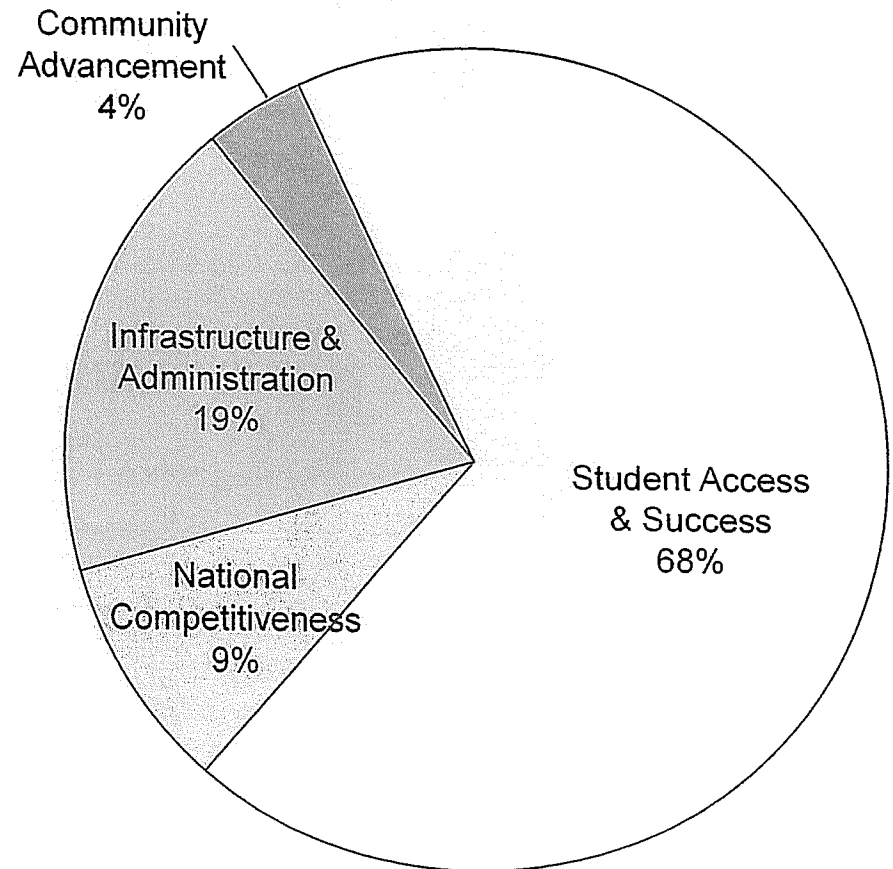
## Revenues



F&A - 5.1.3

Total \$1,174.2 Million

## Expenses



Total \$1,078.3 Million

Note: Expenses exclude construction spending from revenue bond proceeds.

# University of Houston System Combined Analysis of Revenues FY 2007 - 2010

( \$ Millions )

		A	B	C	D	E
		2007	2008	2009	2010	2010
		Actual	Actual	Actual	Preliminary	Budget *
F&A - 5.1.4	1 State Appropriations	\$ 254.1	\$ 283.0	\$ 289.0	\$ 284.4	\$ 296.9
	2 HEAF	35.5	53.2	53.3	53.3	53.3
	3 Tuition & Fees	336.0	365.3	399.0	436.5	414.0
	4 Other Operating	100.0	99.0	97.3	102.1	127.1
	5 Contracts & Grants	133.0	154.4	187.0	251.2	198.9
	6 Endowment / Gifts	45.0	54.4	43.5	46.7	29.5
	7 Total	\$ 903.6	\$ 1,009.3	\$ 1,069.1	\$ 1,174.2	\$ 1,119.7

\* FY2010 Budget as adopted on 8-18-2009

# University of Houston System Combined Analysis of Operating Expenses FY 2007 – 2010

( \$ Millions )

		A	B	C	D	E
		2007	2008	2009	2010	2010
		Actual	Actual	Actual	Preliminary	Budget *
F&A - 5.1.5	1 Student Access and Success	\$ 559.3	\$ 613.1	\$ 670.5	\$ 737.1	\$ 691.3
	2 National Competitiveness	75.0	81.0	87.8	98.3	133.5
	3 Infrastructure & Administration	160.0	173.0	206.1	200.1	261.5
	4 Community Advancement	34.6	40.3	41.0	42.8	33.4
	5 Total	\$ 828.9	\$ 907.4	\$ 1,005.4	\$ 1,078.3	\$ 1,119.7

\* FY2010 Budget as adopted on 8-18-2009

# University of Houston System Combined Analysis of Asset Balances FY 2007 – 2010 On August 31 ( \$ Millions )

		A	B	C	D
		2007 Actual	2008 Actual	2009 Actual	2010 Preliminary
<b>Assets</b>					
1	<b>Cash, Appropriations, &amp; Investments</b>	<b>\$ 922.7</b>	<b>\$ 1,146.0</b>	<b>\$ 1,039.2</b>	<b>\$ 1,150.9</b>
	Consisting of:				
2	Unrestricted cash balances	(58.1)	(26.2)	(19.2)	(38.4)
3	Restricted cash balances	62.5	55.3	66.6	60.2
4	Investments (includes Endow ment)	842.7	1,023.2	842.9	970.8
5	Appropriation balances	75.6	93.7	148.9	158.3
6	<b>Capital Assets, net of depreciation</b>	<b>\$ 560.8</b>	<b>\$ 626.4</b>	<b>\$ 775.1</b>	<b>\$ 859.8</b>
	Consisting of:				
7	Land	60.8	86.3	100.8	100.9
8	Construction in progress	22.4	81.2	47.2	93.5
9	Buildings, facilities, infrastructure	379.8	361.6	528.1	529.2
10	Equipment, software, art, books	97.8	97.3	99.0	136.2
11	<b>Other Assets</b>	<b>\$ 111.8</b>	<b>\$ 135.6</b>	<b>\$ 155.1</b>	<b>\$ 193.0</b>
	Consisting of:				
12	Receivables	65.7	72.9	65.3	100.3
13	Loans receivable	19.2	21.0	31.4	40.3
14	Prepaid expenses	23.9	39.4	55.9	50.2
15	Inventories	3.0	2.3	2.5	2.2
16	<b>Total Assets</b>	<b>1,595.3</b>	<b>\$ 1,908.0</b>	<b>\$ 1,969.4</b>	<b>\$ 2,203.7</b>

F&A - 5.1.6



# University of Houston System Combined Analysis of Liability Balances & Equity Balance FY 2007 – 2010 On August 31 ( \$ Millions )

R&A – 5.1.7

		A	B	C	D
		2007 Actual	2008 Actual	2009 Actual	2010 Preliminary
<b>Liabilities</b>					
1	<b>Payables &amp; Accrued Liabilities</b>	\$ 56.0	\$ 55.0	\$ 69.0	\$ 71.7
	Consisting of:				
2	Accounts payable	24.0	20.0	34.2	34.7
3	Federal funds payable	0.5	1.7	1.0	0.1
4	Payroll payable	31.1	33.0	33.5	36.6
5	Claims payable (WCI / UCI)	0.4	0.3	0.3	0.3
6	<b>Revenue Bonds Payable</b>	\$ 306.2	\$ 453.0	\$ 610.9	\$ 683.3
7	<b>Other Liabilities</b>	\$ 170.0	\$ 215.6	\$ 161.2	\$ 225.8
	Consisting of:				
8	Deferred revenue	144.1	181.3	124.0	189.9
9	Compensable leave	19.9	21.8	23.1	23.1
10	Funds held in custody	6.0	12.5	14.1	12.8
11	<b>Total Liabilities</b>	\$ 532.2	\$ 723.6	\$ 841.1	\$ 980.8
12	<b>Total Equity Balance</b>	\$ 1,063.1	\$ 1,184.4	\$ 1,128.3	\$ 1,222.9

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

**COMMITTEE:** Finance and Administration

**ITEM:** Presentation of projected revenues and expenses for Fiscal Year 2021 based on Campus Master Plan enrollment targets.

**DATE PREVIOUSLY  
SUBMITTED:**

**SUMMARY:**

A set of four revenue scenarios and four expense scenarios will be presented for each campus. The scenarios will be based on the Campus Master Plan enrollment targets presented to the Board at the June 2010 retreat.

**SUPPORTING DOCUMENTATION:** Revenue and Expense Projection Tables

**FISCAL NOTE:** N/A

**RECOMMENDATION/  
ACTION REQUESTED:** Information

**COMPONENT:** University of Houston System

\_\_\_\_\_  
**PRESIDENT**

\_\_\_\_\_  
**DATE**

  
\_\_\_\_\_  
**EXECUTIVE VICE CHANCELLOR**

Carl Carlucci

\_\_\_\_\_  
**DATE**

  
\_\_\_\_\_  
**CHANCELLOR**

Renu Khator

\_\_\_\_\_  
**DATE**

# University of Houston System

## Revenue and Expense Summary Based on Master Plan Enrollment Targets

F&A-6.1.1

November 17, 2010

# Revenue and Expense Summary

(Using Master Plan 10-year Enrollment Targets)

- Based on enrollment and research targets presented at the June 2010 Regents Retreat
- Enrollment targets have been converted to projected revenues and expenses to forecast FY2021 budget needs

F&A – 6.1.2

# Revenue and Expense Summary

(Using Master Plan 10-year Enrollment Targets)

Four revenue and four expense scenarios for each campus have been developed

## Revenue Scenarios

- State Appropriations: Low = 2% annual reduction; **High = Flat funding**
- Tuition and Fee Rates: Low: no increases; **High: 2% annual increases**

(The blue text scenarios are used for the shortfall illustration on a slide that follows)

# Revenue and Expense Summary

(Using Master Plan 10-year Enrollment Targets)

Four revenue and four expense scenarios for each campus have been developed

## Expense Scenarios

(faculty, staff and infrastructure needed for enrollment growth)

- New faculty, staff, infrastructure: Low = 50% of need; **High = 100% of need**
- Annual faculty and staff salary increases: Low = no increases; **High = 3% average increase**

(The blue text scenarios are used for the shortfall illustration on the next slide)

# FY2021 Incremental Revenues and Expenses

(To Meet Enrollment Targets)

	<u>Revenue (a)</u>	<u>Expense (b)</u>	Shortfall <u>Gap</u>
University of Houston	\$125.0	\$230.7	(\$105.7)
F&A 6.1.5 UH-Clear Lake	\$39.9	\$60.7	(\$20.8)
UH-Downtown	\$51.1	\$69.4	(\$18.3)
UH-Victoria	\$29.7	\$45.8	(\$16.1)

(a) Revenue Assumptions

- Level state appropriations
- Annual average tuition & fee Increases of 2%

(b) Expense Assumptions

- Faculty, staff and Infrastructure fully funded to meet enrollment targets
- Average annual faculty and staff salary increases of 3%

# Closing the Revenue/Expense Gap

- Cut costs and increase productivity
- Increased enrollment and tuition
- Professional and differential tuition
- Cost shifting to contract and grants
- IDC income
- Patent and Licensing Revenue
- Philanthropy



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

**COMMITTEE:** Audit & Compliance

**ITEM:** Ethics and Conflict of Interest Policies of the Board of Regents and Each of the Universities

**DATE PREVIOUSLY SUBMITTED:**

**SUMMARY:**

The Board of Regents Audit and Compliance Committee Charter and Checklist, item number 23, requires the Audit and Compliance Committee to conduct an annual review of the ethics and conflict of interest policies of the Board and each of the universities to ensure that the Board of Regents and each of the institutions have Conflict of Interest Policies in place. The policies include Code of Ethics/Ethical Conduct of Employees and Conflicts of Interest. In addition to their own policies, all institutions also refer to the Texas Ethics Commission "Guide to Ethics Laws for State Officers and Employees.

These policies provide guidelines to avoid conflicts of interest, generally described as the use of one's university employment or position to obtain unauthorized privileges, benefits, or things of value for oneself or others. Standards of conduct for employees must also be maintained to fulfill their responsibility to the public in the in performance of their official duties. These policies set forth a code of accountability for component university employees in the performance of university responsibilities, identify areas of legal and ethical concern, and specify requirements for compliance with state laws, federal guidelines, Board of Regents policies, standards of ethics, and good business practices.

**SUPPORTING**

**DOCUMENTATION:** Ethics and Conflicts of Interest Policies Summary (including changes during the past year), Table of Contents, and Ethics and Conflict of Interest Policies of the Board of Regents , University of Houston System, University of Houston, University of Houston Downtown, University of Houston Clear Lake, and University of Houston Victoria

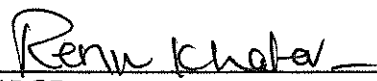
**FISCAL NOTE:**

**RECOMMENDATION/  
ACTION REQUESTED:** Information

**COMPONENT:** University of Houston System

  
\_\_\_\_\_  
**CHIEF AUDIT EXECUTIVE** Don Guyton

10/29/10  
\_\_\_\_\_  
**DATE**

  
\_\_\_\_\_  
**CHANCELLOR** Renu Khator

11-3-10  
\_\_\_\_\_  
**DATE**

University of Houston System  
Ethics and Conflict of Interest Policies  
Summary  
November 17, 2010

The Board of Regents Audit and Compliance Committee Charter and Checklist, item number 23, requires the Audit and Compliance Committee to conduct an annual review of the ethics and conflict of interest policies of the Board and each of the universities to ensure that the Board of Regents and each of the institutions have Conflict of Interest Policies in place. The policies include Code of Ethics/Ethical Conduct of Employees and Conflicts of Interest. In addition to their own policies, all institutions also refer to the Texas Ethics Commission “Guide to Ethics Laws for State Officers and Employees.”

These policies provide guidelines to avoid conflicts of interest, generally described as the use of one’s university employment or position to obtain unauthorized privileges, benefits, or things of value for oneself or others. Standards of conduct for employees must also be maintained to fulfill their responsibility to the public in the performance of their official duties. These policies set forth a code of accountability for component university employees in the performance of university responsibilities, identify areas of legal and ethical concern, and specify requirements for compliance with state laws, federal guidelines, Board of Regents policies, standards of ethics, and good business practices.

The changes to the policies since they were last reviewed by the Audit and Compliance Committee in November 2009 include:

UH/UHS

- Correction of MAPP number in Table of Contents for 02.04.07 – Ethical Conduct of Employees
- Numbering correction in 02.04.07 and the addition of the administrative title (page 18)

University of Houston Clear Lake – no changes

University of Houston Downtown

- Code of Conduct (PS 05.C.07)
  - Procurement Responsibilities updated 8/12/10 to narrow the employees required to sign the disclosure form to only those in a position to originate purchase requests or influence purchasing decisions (page 30)
  - Reference to SAM 02.A.01 in ¶3.9 was corrected to SAM 03.A.17 (page 32)
  - Policy was reformatted to current policy style

University of Houston Victoria

- Employee Standards of Conduct (Policy C-8) updated 10/16/09 to omit references to Policy C-3 (Outside Employment) since outside employment was already covered in C-8 (page 51)

UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS  
AUDIT & COMPLIANCE COMMITTEE

ETHICS AND CONFLICT OF INTEREST POLICIES  
OF  
BOARD OF REGENTS AND EACH OF THE UNIVERSITIES

November 17, 2010

Internal Audit 10/29/10

**AUDIT – 2.2.1**

UNIVERSITY OF HOUSTON SYSTEM  
ETHICS AND CONFLICTS OF INTEREST POLICIES  
As of November 17, 2010  
Table of Contents

The Board of Regents Audit Committee Charter and Checklist, item number 23, requires the Audit Committee to conduct an annual review of the ethics and conflict of interest policies of the Board and each of the universities. The following policies are attached for this review, noting in parenthesis the date of last update:

Page No.

Board of Regents

1	57.01	Code of Ethics (12/16/08)
1	57.08	Conflicts of Interest (05/17/07)
3		Board of Regents Conflict of Interest Certification

University of Houston System

4	02.A.09	Conflict of Interest (4/7/08)
5	02.A.29	Ethical Conduct of Employees (6/9/09)

University of Houston

15	02.04.07	Ethical Conduct of University Employees (9/1/04)
20		Policy on Conflict of Interest for Academic Staff – Research (9/99)
26		Annual Certification of Compliance – Research – Appendix 1

University of Houston Downtown

28	01.A.12	Standards of Conduct Policy (2/1/04)
30	05.C.07	Code of Conduct – Procurement Responsibilities (8/12/10)
33	06.A.03	Standards of Conduct in Government-Sponsored Research (5/2/01)
37	06.A.04	Procurement Integrity Policy (5/2/01)
39	06.A.07	Ethical Conduct in Research and Government-Sponsored Activities (4/30/01)

University of Houston Clear Lake

45	Faculty handbook 10.2.3	Procedure on Conflicts of Interest for Investigators (3/10/05)
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(NOTE: University of Houston Clear Lake HR web site refers to the University of Houston System Board of Regents Conflict of Interest Policy and Ethical Conduct of Employees)

University of Houston Victoria

51	C-8	Employee Standards of Conduct – policy also addresses Conflicts of Interest (10/16/09)
61		Financial Aid Conflict of Interest Certification
63	E-7	Related Party (11/11/08)

In addition to their own policies, all institutions also refer to the Texas Ethics Commission “Guide to Ethics Laws for State Officers and Employees.”

## BOARD OF REGENTS POLICIES

### 57.01 Code of Ethics [<http://www.uhsa.uh.edu/regents/policy/af.html#personnel>]

- 57.01.1 All members of the board and all employees of the system and its component institutions shall adhere to the highest ethical standards of conduct reflected in state law and board policies.
  - 57.01.2 The system code of ethics is comprised of the following components:
    - A. Statutory Standards of Conduct for State Employees, Section 572.051, Texas Government Code;
    - B. the following board policies:
      - a) Academic Freedom (21.03)
      - b) Sexual Harassment (29.02)
      - c) Governmental Appearances (81.01)
      - d) Consulting and Paid Professional Service (57.02)
      - e) Dual Office Holding(57.04)
      - f) Nepotism (57.07)
      - g) Conflicts of Interest (57.08)
  - 57.01.3 All members of the board and employees of the system and its component institutions shall be furnished a copy of the laws and policies comprising the code of ethics at the time of employment or commencement of service and at the start of each academic year. (05/17/07)
  - 57.01.4 All members of the board shall annually sign conflict of interest certification statements affirming their compliance with their official oath and specific provisions of Texas statutes related to ethical behavior. (12/16/08)
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### 57.08 Conflicts of Interest [<http://www.uhsa.uh.edu/regents/policy/af.html#personnel>]

All members of the board and employees of the system and its component institutions shall adhere to and be furnished a copy of the Statutory Standards of Conduct for State Employees, Section 572.051, Texas Government Code, and shall avoid conflicts of interest, generally described as the use of one's university employment or position to obtain unauthorized privileges, benefits, or things of value for oneself or others, including the following:

- 57.08.1 No board member or employee shall solicit, engage, or agree to accept any privilege, benefit or thing of value for the exercise of his or her discretion, influence, or powers as an employee or regent, except as is allowed by law.
- 57.08.2 No board member or employee shall accept any privilege, benefit, or thing of value that might influence him or her in the discharge of his or her duties as an employee or regent.
- 57.08.3 No board member or employee shall use his or her position to secure special privileges or exemptions for himself or herself or others, except as is allowed by law.
- 57.08.4 No board member or employee may be an officer, agent, employee, or member of, or own an interest in a professional activity that foreseeably might require or

## BOARD OF REGENTS POLICIES

- induce him or her to disclose confidential information acquired by reason of his or her system position.
- 57.08.5 No board member or employee shall accept employment or engage in any business or professional activity that foreseeably might require or induce him or her to disclose confidential information acquired by reason of his or her system position.
- 57.08.6 No board member or employee shall disclose confidential information gained by reason of his or her system position, nor shall he or she otherwise use such information for his or her personal gain or benefit.
- 57.08.7 No board member or employee shall transact any business for the system with any entity of which he or she is an officer, agent, employee, or member, or in which he or she owns a significant interest.
- 57.08.8 No board member or employee shall make personal investments in any enterprise that foreseeably might create a substantial conflict between his or her private interests and the system's interests.
- 57.08.9 No board member or employee shall accept other employment that might impair his or her independence of judgment in the performance of his or her system duties.
- 57.08.10 No board member or employee shall receive any compensation for his or her services to the system from any source other than the State of Texas except as is allowed by law.
- 57.08.11 No board member or employee who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions shall solicit, accept, or agree to accept any benefit from a person or entity the employee knows or should know is or is likely to become financially interested in such transactions.

Failure of any employee to comply with the foregoing shall constitute grounds for discharge or other disciplinary action. (5/17/07)

## BOARD OF REGENTS POLICIES

### UNIVERSITY OF HOUSTON SYTEM BOARD OF REGENTS CONFLICT OF INTEREST CERTIFICATION FY2010 - 2011

By signing below, I certify that I will abide by the following conditions during my term as a member of the Board of Regents of the University of Houston System:

- I do solemnly swear that I will faithfully execute the duties of the Board of Regents of the University of Houston System, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God. *See* Texas Constitution Art. 16, § 1.
- I do solemnly swear that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment as a reward to secure my appointment or confirmation, whichever the case may be, so help me God. *See* Texas Constitution Art. 16, § 1.
- I will file a verified financial statement with the Texas Ethics Commission in accordance with Texas Government Code §§ 572.022 through 572.0252. *See* Texas Government Code § 572.021.
- If I have a personal or private interest in a measure, proposal, or decision pending before the board, I shall publicly disclose the fact to the board in a meeting called and held in compliance with Texas Government Code Chapter 551. I acknowledge that I may not vote or otherwise participate in such a decision pending before the board and further understand that my public disclosure shall be entered in the minutes of the meeting. *See* Texas Government Code § 572.058(a).
- **I shall not:**
  - Accept or solicit any gift, favor, or service that might reasonably tend to influence me in the discharge of my official duties or that I know or should know is being offered with the intent to influence my official conduct. *See* Texas Government Code 572.051(a)(1).
  - Accept other employment or engage in a business or professional activity that I might reasonably expect would require or induce me to disclose confidential information acquired by reason of my position. *See* Texas Government Code 572.051(a)(2).
  - Accept other employment or compensation that could reasonably be expected to impair my independence of judgment in the performance of my official duties. *See* Texas Government Code 572.051(a)(3).
  - Make personal investments that could reasonably be expected to create a substantial conflict between my private interest and the public interest. *See* Texas Government Code 572.051(a)(4).
  - Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised my official powers or performed my official duties in favor of another. *See* Texas Government Code 572.051(a)(5).
  - With the intent to obtain a benefit or with intent to harm or defraud another, intentionally or knowingly misuse government property, services, personnel, or any other thing of value belonging to the government that has come into my custody or possession by virtue of my office or employment. *See* Texas Penal Code § 39.02(a)(2).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

02.A.09 Conflict of Interest [<http://www.uhsa.uh.edu/sam/2HumanResources/2A9.htm>]

### UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATIVE MEMORANDUM

SECTION: Human Resources  
AREA: General  
SUBJECT: Conflict of Interest

NUMBER: 02.A.09

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#### 1. PURPOSE

Although the University of Houston System depends upon the integrity and discretion of its staff with respect to actual or apparent conflict of interest, all University of Houston System employees are subject to the prohibitions of state law and applicable federal guidelines. This administrative memorandum presents guidelines to avoid conflicts of interest in accordance with Board of Regents Policy 57.08.

#### 2. POLICY

2.1. Conflict of interest is the use of one's University of Houston System employment to obtain unauthorized privileges, benefits, or things of value for oneself or others.

2.2. Guidelines to avoid conflict of interest include the following:

- a. No employee shall solicit, accept, or agree to accept any privilege, benefit or thing of value for the exercise of his or her discretion, influence or powers as an employee except as allowed by law.
- b. No employee shall accept any privilege, benefit or thing of value that might influence him or her in the discharge of his or her duties as an employee.
- c. No employee shall use his or her position to secure special privileges or exemptions for himself or herself or others, except as is allowed by law.
- d. Any employee who is an officer, agent, employee or member of, or owns a significant interest in any entity doing business with any component university of the University of Houston System must disclose such relationship in writing to his or her immediate superior.
- e. No employee shall accept employment or engage in any business or professional activity which foreseeably might require or induce him or her to disclose confidential information acquired by reason of his University of Houston System position.
- f. No employee shall disclose confidential information gained by reason of his or her component university position nor shall he or she otherwise use such information for his or her personal gain or benefit.
- g. No employee shall transact any business for the University of Houston System with any entity of which he or she is an officer, agent, employee, or member, or in which he or she owns a significant interest.



## UNIVERSITY OF HOUSTON SYSTEM POLICIES

- h. No employee shall make personal investments in any enterprise which foreseeably might create a substantial conflict between his or her private interests and the University of Houston System's interests.
- i. No employee shall accept other employment which might impair his or her independence or judgment in the performance of his or her University of Houston System duties.
- j. No employee shall receive any compensation for his or her services from any source other than the State of Texas except as allowed by law.
- k. No employee who exercises discretion in connection with contracts, purchases, payments, claims or other pecuniary transactions shall solicit, accept or agree to accept any benefit from a person or entity the employee knows, or should know, is or is likely to become financially interested in such transactions.

2.3. Failure of an employee to comply with the foregoing shall constitute grounds for discharge or other disciplinary action.

### 3. REVIEW AND RESPONSIBILITIES

Responsible Parties: Associate Vice Chancellor for Finance

Review: Every five years, on or before August 31

### 4. APPROVAL

Approved:

Jim McShan

Interim Vice Chancellor for Administration and Finance

Renu Khator

Chancellor

Date: April 7, 2008

### 5. INDEXING TERMS

Conflict of interest

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02.A.29 Ethical Conduct of Employees  
<http://www.uhsa.uh.edu/sam/2HumanResources/2A29.pdf>

## UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATIVE MEMORANDUM

SECTION: Human Resources  
AREA: General  
SUBJECT: Ethical Conduct of Employees

NUMBER: 02.A.29

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

### 1. PURPOSE

- 1.1. New federal and state laws and regulations, together with growing scrutiny of the complex relationships between public institutions and outside public and private organizations and individuals, necessitate the clarification of standards of accountability for public servants. Requirements for ethical behavior are especially important in public institutions of higher education; component university employees are accountable to taxpayers for the use of public funds and also have the responsibility to lead and educate component university students by example.
- 1.2. University of Houston System employees have a responsibility to the public in the performance of their official duties. High institutional and personal standards of conduct must be maintained to fulfill that responsibility. These standards must include avoiding any actions that would create the appearance of violation of laws or ethical principles. This document sets forth a code of accountability for component university employees in the performance of their component university responsibilities; it identifies areas of particular legal and ethical concern and specifies requirements for compliance with state laws, federal guidelines, Board of Regents policies, standards of ethics, and good business practices.

### 2. POLICY

- 2.1. Employees of the System shall avoid using their positions for purposes that are, or give the appearance of being, motivated by a desire for private gain for themselves or others, such as those with whom they have family, business, or other ties. Component university employees shall exercise the utmost good faith in all transactions, activities, and behaviors related to their duties to the System and its property and resources. The principles of good faith and honest dealing apply to all aspects of the employee's responsibilities and activities on the part of the component university, not just those identified in this directive as subject to particular statutes or causes for particular concern.
- 2.2. Prior to entering into any consulting, investment, professional or other arrangement that may involve a conflict of interest or commitment, a faculty or exempt employee must submit to the college or department head a complete written disclosure of the pending relationship and any potential conflicts that it may involve. The subsequent arrangements will then be subject to the approval of the appropriate dean, associate vice president, associate vice chancellor, or designee. This provision applies to all regular faculty and exempt staff and to non-exempt staff with procurement or research responsibilities.
- 2.3. On an annual basis, all non-University business activities and arrangements shall be reported to the Chancellor through the Executive Vice Chancellor of Administration and Finance.
- 2.4. Component university employees shall promptly disclose to their supervisor or department head any substantiated information regarding what they believe to constitute a violation of this document or any law or institutional policy.

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

- 2.5. Failure to comply with the principles outlined in this document shall be considered a breach of the public trust and may subject the employee to disciplinary action up to and including dismissal, as well as to the possibility of criminal action.

### 3. DEFINITIONS

- 3.1. Benefit: Anything an independent third party observer might reasonably regard to provide a monetary gain or advantage. For the purposes of this policy, a benefit would include, but is not limited to, monetary gifts, meals, employment, or other items of significant gain or advantage. When the appropriateness of a benefit is in question, it should not be accepted.
- 3.2. Conflict of commitment: A situation in which an employee's outside activities interfere with the employee's primary commitment of time and intellectual energies to the University, or in which a full-time employee's primary professional loyalty is not to the System. The general permitted limit to external commitments is one day per calendar week, never to conflict with the employee's scheduled classes or other duties and responsibilities.
- 3.3. Conflict of interest: A situation in which there is a divergence between the employee's private interests and the employee's professional obligations to the component university (i.e. the public interest) such that an independent observer might reasonably question whether the employee's actions or decisions are determined by considerations of private gain, financial or otherwise, to the component university's detriment.
- 3.4. Honoraria: A payment for speech, lecture, or services on which, by custom or agreement, a specific price may not be set. For the purposes of this policy, this definition includes any payment from an outside entity for services such as making a speech, teaching a class or workshop, or providing consulting services.
- 3.5. Immediate Family: Includes spouse and dependent children. Children, for the purposes of this policy, include adopted, step and foster children, as well as natural sons and daughters.
- 3.6. Relatives: Individual laws prescribe the relationships covered in specific provisions.
- 3.7. System Employee: An employee of the System is an individual who performs services that are subject to the will and control of the component university in terms of what must be done and how it must be done within legal parameters. For purposes of this document, the term "employee" refers to any individual serving in a faculty, research or staff capacity subject to the terms and conditions described above. An employee is paid through the payroll system, with accompanying tax withholding as provided by law.

### 4. PROVISIONS

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

- 4.1. Acceptance of gifts or other benefits: An employee of the System (or member of the employee's immediate family) may not solicit or accept any gift, favor, privilege, benefit, service, exemption or thing of value that might influence the employee to perform his or her job differently. An employee should assume that anyone having business with the component university as a client, contractor, or vendor is likely to be seen as attempting to curry favor if that person provides any gift or benefit to the employee. More detailed directives related to conflict of interest may be found in Board Policy 57.08 and SAM 02.A.09 - Conflict of Interest.

The only gifts and benefits not subject to this restriction are those conferred on account of kinship or a personal or professional relationship independent of employee's status, non-cash items of less than \$50.00 in value, and those used solely to defray expenses accrued in the performance of official duties that are not reimbursable by the component university.

- 4.2. Bribery: A component university employee commits the criminal offense of bribery if the employee solicits, offers or accepts any benefit in exchange for a decision, opinion, Recommendation, vote or other exercise of discretion by the employee.
- 4.3. Business, investments, and professional activity: An employee or the employee's immediate family shall not make personal investments in any enterprise that foreseeably might create a significant conflict between the employee's private interests and the University's interests. An employee shall not transact any business for the University with any entity of which he or she is an owner, officer, agent, employee or member or in which the employee or the employee's immediate family owns any significant interest or accrues any benefit.
- 4.4. Charitable or professional organizations/pro bono work: Any contribution of time without compensation to charitable or professional organizations or causes that may infringe upon the employee's regular work hours must be disclosed to the employee's department head and must not interfere with the individual's University responsibilities.
- 4.5. Disclosure of confidential information: No component university employee shall disclose confidential information gained by reason of his or her position, nor shall the employee otherwise use such information for personal gain or benefit. Similarly, no employee shall accept other employment or engage in any business or professional activity that foreseeably might require or induce the employee to disclose confidential information acquired through his or her position.
- 4.6. Dual employment: A System employee may hold another non-elective state or federal office or position of honor, trust, or profit only after being granted prior approval. The Board delegates to the Chancellor or designee the authority to approve such dual office holding by any System employee who is not an officer of the System or its component universities. Officers of the System are defined as executive management employees serving in the following positions: Chancellor, vice chancellor, General Counsel, president, vice president, dean (academic), Chief Audit Executive, and their equivalents

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

(e.g., an administrative head of a recognized department reporting directly to the Chancellor or component university president). Such approval must be based on formal findings that the dual office holding is of benefit to the state or is required by state or federal law and that the situation creates no conflict of interest or commitment.

- 4.7. Governmental appearances or expert witness service: Component university employees appearing before Congress or the Texas Legislature or their agencies, committees, or members to offer testimony, opinions or commentary in regard to existing or potential laws, rules or regulations, unless expressly authorized to do so by the Board or the Chancellor, must clearly state in advance that they are appearing in their individual capacities and that their testimony, opinions and commentary are not authorized by and must not be construed as reflecting upon the position of the System.

Appearances as an expert witness by any employee of the System shall be subject to the provisions of SAM 02.D.07 - Expert Witness Service.

- 4.8. Honoraria: By state law, a component university employee may not solicit, agree to accept, or accept an honorarium in consideration for services the employee would not have been asked to provide but for his or her official position; i.e. for providing services on behalf of the component university. This prohibition includes a payment made to a third party if made in exchange of the employee's services. This restriction applies to any fee for any service provided in the employee's official capacity, but does not apply to food, transportation and lodging in connection with the service provided.

- 4.9. Lobbying by state employees, political campaigns, holding public office, and other political activities: The General Appropriations Act prohibits the use of state funds to influence the outcome of any election or any legislative measure. Likewise, this act restricts the use of any component university funds to hire lobbyists and provides restrictions against offering gifts to legislators and accepting gifts from legislators. Similarly, federal restrictions prohibit the use of federal funds to influence federal legislation. The Vice Chancellor for Governmental Relations shall be responsible for the general coordination of System governmental activities.

No component university employee may use his or her authority, influence, or time during University work hours to affect the result of any election or political campaign or to achieve any other political purpose. Likewise, University funds, equipment, or other resources may not be used to work on a political campaign. Component university employees may run for local elective office and serve as elected public officials so long as campaign activities are not conducted during official component university hours and so long as the office does not involve a political party primary or a party affiliation. The employee must provide prior notification to his or her supervisor of the candidacy and election to office.

- 4.10. Nepotism: Relatives of component university employees may not be employed in positions where the employee has the official authority to hire or recommend or approve the hiring, salary, or promotion of the relative, even if it results from marriage after the

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

employment relationship was formed. The requirements of nepotism statutes may be found in Board Policy 57.07 and SAM 02.A.21 - Nepotism.

- 4.11. Outside consulting or other employment: The System expects employees to accord a full professional commitment to the component university during the terms of their appointments. Interaction between employees and external entities for reasonable periods of time and for personal remuneration may be desirable when the relationship benefits the University, enhances the professional skills of the employee, or constitutes a public service.

However, no employee shall accept consulting or external employment that might impair his or her independence of judgment in performance of University duties, nor shall an employee receive any compensation from any source other than the State of Texas except as allowed by law. All consulting and other paid professional employment shall comply with Board Policy 57.02 and SAM 02.A.08 - Consulting and Outside Employment.

In accordance with Board Policy 57.05, any outside employment of the Chancellor, other officers of the System Administration, or the president or vice presidents of any component university, including serving on the Board of Directors or governing board of any outside organization, shall be approved in advance by the Board.

- 4.12. Reporting of time and effort; maintenance of all records: It is a violation of law to falsify or alter the reporting of time worked, salary records, or any way revise component university documents or records so as to provide an unearned benefit to the employee or another party.
- 4.13. Transfer of research results, materials, products, records: Board Policy 21.08 requires that component university faculty and staff disclose on a timely basis the creation or discovery of all potentially patentable inventions created with University resources. Ownership of these inventions must be assigned to the component university regardless of source of funding.

Component universities must have policies and procedures in place to ensure compliance with all applicable federal guidelines related to funded research, intellectual property, and related conflict of interest regulations.

- 4.14. Travel: Travel undertaken on official System business may be paid or reimbursed from University funds when arrangements comply with applicable SAMs 01.C.05 - Executive Travel, 03.A.03 - Business Travel, and 03.A.04 - University Credit Cards.
- 4.15. Use of component university equipment, facilities, support staff, and other resources: As a state employee, under statute, an employee is required to use component university property for component university purposes only, not for personal or private purposes. In situations where there is no direct cost to the component university, such as use of telephones to make occasional local calls, such use is not considered a misapplication of state property and may be permitted within reason.

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

Use of component university facilities, space, equipment or support staff for any activity other than the conduct of the employee's job responsibilities is permitted only if an appropriate and equitable financial arrangement has been concluded between the individual and the institution prior to the beginning of the outside activity. Please review SAMs 01.B.06 – Facilities Reservation and Rentals and 03.A.05 – Contract Administration for additional guidance.

- 4.16. Use of System and component university names: The name of the University of Houston System or its component universities may in no case be used for advertising or procurement purposes by any individual or external organization for non-University purposes. Likewise, employees may not represent themselves as acting in the capacity of System or component university employees when conducting consulting or personal activities. The System as well as the component universities bear no responsibility for any actual or implied obligations or liabilities incurred by an individual resulting from a consulting or other paid professional agreement or activity.

### 5. COMPLIANCE

- 5.1. In compliance with Board Policy 57.01, each component university is required to provide a copy of the laws and policies comprising the code of ethics to employees annually and to each new employee at the start of their employment. To acknowledge receipt and understanding of these laws and policies, all employees must annually complete Code of Ethics training.

Each component shall establish procedures related to the ethical conduct of employees that shall include the following compliance actions:

- a. Annual certification by regular faculty, exempt staff, and other key staff involved in procurement or funded research activities to include the following:
  - receipt of this document and compliance with its provisions,
  - disclosure of any external consulting, employment, and professional activities – including service on governing boards and ownership in outside enterprises - providing the names of the external employers/organizations involved,
  - disclosure of any actual or potential conflicts of interest related to external employment, acceptance of benefits, or external investments, and
  - any additional information that may be required by federal funding agencies.
- b. A procedure for the timely prior review and approval or disapproval of written disclosures of pending relationships by component university employees entering into any consulting, investment, professional, or other arrangement that may potentially involve a conflict of interest or commitment. Such procedures shall require approval

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

at the vice presidential or vice chancellor level of all such activities and annual reporting to the Chancellor.

- 5.2. In addition to these System-wide certifications, the Chancellor and presidents are required to submit an annual financial statement with the Texas Ethics Commission using the forms provided by the commission. Vice presidents, those at the director level or higher positions over procurement and contracting functions, and those others considered by the component to have high-level procurement responsibilities shall file with the chief financial officer of each component university a report disclosing the following information:
- a. The amount of any compensation received for services related to these associations; and
  - b. Known information regarding whether any of the organizations cited have any relationship to the System and a description of the relationship.
- 5.3. Information received during the annual certification shall be compiled and submitted to the Chancellor through the Office of the Executive Vice Chancellor for Administration and Finance prior to the Chancellor's annual report to the Board.

### 6. REVIEW AND RESPONSIBILITIES

Responsible Party: Associate Vice Chancellor for Finance

Review: Every five years, on or before March 1

### 7. APPROVAL

Approved: Carl P. Carlucci  
Executive Vice Chancellor for Administration and Finance  
Renu Khator  
Chancellor

Date: June 9, 2009

## EXHIBIT A

### Citations and References

#### General

System Board of Regents Policies:  
21.08 Intellectual Property  
57.02 Consulting and Paid Professional Service



## UNIVERSITY OF HOUSTON SYSTEM POLICIES

57.04 Dual Employment  
57.07 Nepotism  
57.08 Conflicts of Interest  
81.01 Governmental Appearances

### System Administrative Memoranda:

01.C.05 Executive Travel  
02.A.08 Consulting and Outside Employment  
02.A.09 Conflict of Interest  
02.A.21 Nepotism  
02.D.07 Expert Witness Services  
03.A.03 Business Travel  
03.A.04 University Credit Cards

### Texas Revised Civil Statutes:

Article 6252-9b-Standards of Conduct  
Government Code Chapter 554 - Whistleblower Act

### By Provision:

- 4.1. Acceptance of gifts or other benefits:  
03.F.01 Gift Acceptance Policies
- 4.2. Bribery:  
01.C.04 Reporting/Investigating Fraudulent Acts
- 4.3. Business, investments, and professional activity:  
02.A.09 Conflict of Interest  
03.A.17 Disclosure of Related Party Interests
- 4.4. Charitable or professional organizations/pro bono work:  
03.A.17 Disclosure of Related Party Interests
- 4.5. Disclosure of confidential information:  
01.D.06 Protection of Confidential Information  
02.A.31 Access to and Maintenance of Staff Personnel Files
- 4.6. Dual employment:  
02.B.02 Overtime and Compensatory Time
- 4.7. Governmental appearances or expert witness service:  
09.A.01 Governmental Relations Communications and Appearances
- 4.8. Honoraria:  
02.A.08 Consulting and Outside Employment

## UNIVERSITY OF HOUSTON SYSTEM POLICIES

- 4.9. Lobbying by state employees, political campaigns, holding public office, and other political activities:

02.A.39 Political Aid and Legislative Influence

- 4.10. Nepotism:  
02.A.21 Nepotism
- 4.11. Outside consulting or other employment:  
02.A.08 Consulting and Outside Employment
- 4.12. Reporting of time and effort and maintenance of other records:  
03.D.03 Employee Time and Effort Reporting
- 4.13. Transfer of research results, materials, products, records:
- 4.14. Travel:  
01.C.05 Executive Travel  
03.A.03 Business Travel  
03.A.04 University Credit Cards
- 4.15. Use of University equipment, facilities, support staff, and other resources:  
01.B.06 Facilities Reservation and Rental
- 4.16. Use of University name:
-

## UNIVERSITY OF HOUSTON POLICIES

02.04.07 Ethical Conduct of University Employees  
[<http://www.uh.edu/mapp/02/02/020407.htm>]

### UNIVERSITY OF HOUSTON MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Human Resources Number: 02.04.07  
AREA: Employee Relations  
SUBJECT: Ethical Conduct of University Employees

#### I. PURPOSE AND SCOPE

This document outlines the processes prescribed by the university to ensure that employees are informed of their responsibilities for accountability and ethical conduct. It requires that any potential conflict be reviewed and reported in accordance with state and federal laws and regulations and with Board of Regents policies.

#### II. DEFINITIONS

- A. **Benefit:** According to statute, anything reasonably regarded as providing monetary gain or advantage. For the purposes of this document, such benefit shall include personal and individual invitations to meals, travel, or items of significant gain or advantage with a value of \$50 or more.
- B. **Conflict of commitment:** A situation in which an employee's outside activities interfere with the employee's commitment of time and intellectual energies to the university, or in which a full-time employee's professional loyalty is not to the University of Houston.
- C. **Conflict of interest:** A situation in which there is a divergence between the employee's private interests and professional obligations to the university (i.e., the public interest) such that an independent observer might reasonably question whether the employee's actions or decisions are determined by considerations of private gain, financial or otherwise, to the university's detriment.
- D. **Consulting and outside employment:** For the purposes of this document, activities undertaken for remuneration from a third party where the activity is within the scope of activities, functions, or expertise for which the individual is compensated by the University of Houston. This definition does not include unpaid public service or lectures for fees, unless these activities require significant amounts of time or they otherwise adversely affect the employee's performance of university duties.
- E. **Honoraria:** A payment for speech, lecture, or other services on which, by custom or agreement, a specific price may not be set. For the purposes of this document, this definition includes any payment from an outside entity for services such as making a speech, teaching a class or workshop, or providing consulting services.
- F. **Immediate family:** Includes spouse and dependent children. Children, for the purposes of this document, include adopted, step, and foster children, as well as natural sons and daughters.

## UNIVERSITY OF HOUSTON POLICIES

- G. Related-party interest: A business or personal relationship that exists between a university employee and an outside individual or organization that may influence the employee's actions or decisions due to considerations of private benefit - financial or otherwise - and/or may create or be perceived as creating a conflict of interest.
- H. Significant financial interest: Anything of monetary value including, but not limited to: salary, other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights) that, when aggregated with immediate family:
  - 1. exceeds \$10,000 fair market value and five percent ownership; or,
  - 2. is expected to exceed \$10,000 in payments during the next 12-month period

### III. DISTRIBUTION OF POLICIES REGARDING ETHICAL CONDUCT

In accordance with state law or Board of Regents Policy 57.01.3, copies of the laws and Board of Regents Policies listed below are distributed and otherwise made available online upon initial employment (by Human Resources) and annually (by the Board of Regents' office).

- A. Statutory Standards of Conduct for State Employees, § 572.051, Texas Government Code
- B. 1997 General Appropriations Act Article IX, § 5. Political Aid, Legislative Influence
- C. Board of Regents Policies:
  - 1. Consulting and Paid Professional Service (57.02)
  - 2. Dual Employment (57.04)
  - 3. Nepotism (57.07)
  - 4. Conflicts of Interest (57.08)
  - 5. Academic Freedom (21.03)
  - 6. Governmental Appearances (81.01)
  - 7. Sexual Harassment (29.02)

### IV. TIMELY DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST SITUATION

University employees are required and expected to take the initiative to disclose and request prior approval of their department head before entering into any activity or situation that may involve, or appear to involve, a conflict of interest or other potentially incompatible obligation. Such a relationship includes consulting or other outside employment, a relationship defined as a related-party interest, or any other relationship that results in a gift or other benefits to the employee.

Under the terms of the Board Policy 57.02, exempt staff are required to obtain written approval from their supervisor prior to entering into a consulting/outside employment relationship; faculty are required to notify their department chair and dean prior to entering into such a relationship.

Where a question of propriety of the proposed employment or business relationship exists, the department head shall submit the application to the dean (for faculty) or dean or director (for staff). The dean or director may, in turn, consult with the appropriate vice president, Human Resources, or the university Ethics Coordinator, as applicable, prior to resolving the conflict.

## UNIVERSITY OF HOUSTON POLICIES

### V. ANNUAL CERTIFICATION OF COMPLIANCE AND REPORTING OF OUTSIDE CONSULTING/ EMPLOYMENT AND DISCLOSURE OF EXTERNAL RELATIONSHIPS

On an annual basis, consulting and outside employment shall be reported to the Board through the Vice President for Administration and Finance.

Also, on an annual basis, a possible conflict with external business activities and benefits shall be reported to the appropriate vice president.

The Office of the Vice President for Administration and Finance is responsible for coordinating this annual survey during the fall of each year, working with the Office of the Senior Vice President for Academic Affairs and Provost and appropriate vice presidents. On an annual basis, the Office of the Vice President for Research will coordinate the annual certification of compliance with the Policy on Conflict of Interest for Academic Staff for those staff involved in research or educational activities funded or proposed for funding by an external sponsor.

### VI. GUIDELINES, STANDARDS FOR EVALUATING AND RESOLVING POTENTIAL CONFLICT OF INTEREST SITUATIONS

- A. Ethics violations are to be reported to the university Ethics Coordinator. The Chief Human Resources Administrator will be the university's Ethics Coordinator.
- B. The Ethics Coordinator will make a determination as to the severity of the ethics violation and determine the appropriate university administrative unit(s) that may be a part of the investigation.
- C. The Ethics Coordinator notifies the investigative unit(s) (i.e., Internal Auditor, University of Houston Police Department (UHPD), and/or Human Resources, and the appropriate vice presidents) of the reported violation and submits the allegations to the unit(s) for review. Violations involving sponsored project agreements will be submitted to the Vice President for Research and handled in accordance with the Policy on Conflict of Interest for Academic Staff.
- D. The Ethics Coordinator notifies the appropriate administrative unit (i.e., department chair, dean, or vice president), that an investigation is to take place. Confidentiality of the information and employee(s) involved in the investigation will be of utmost importance, to insure proper adjudication of the allegations.
- E. The ethics violation is investigated and a report is rendered to the Ethics Coordinator.
- F. The Ethics Coordinator reviews the investigative report. Every attempt will be made to resolve internal ethical violations at the lowest level of administrative review. If however, a reasonable solution cannot be reached; the Ethics Coordinator will appoint the Ethics Review Panel to determine a final disposition.
- G. Recommendations occurring out of the investigation and/or the Ethics Review Panel will be reviewed by the General Counsel and the appropriate vice president.
- H. Based upon the findings of the ethics review process, appropriate administrative action will be taken to insure that the investigated ethics violation is corrected. Employees who fail to comply with the responsibilities and requirements outlined in this document may be subject to disciplinary action.

## UNIVERSITY OF HOUSTON POLICIES

- I. A final report of the investigation, findings, and recommended corrective action is then submitted through administrative channels to the State Ethics Commission.

### VII. PROCESS FOR REQUESTING "ETHICS OPINION" FROM THE ETHICS COORDINATOR AND/OR THE ETHICS REVIEW PANEL

In any case, the responsible manager may contact the university Ethics Coordinator for direction and assistance in resolving a conflict situation.

Upon review, the Ethics Coordinator may recommend that the Ethics Review Panel be convened to review the situation and make a recommendation. In such a case, the situation must be put in writing and involve the signatures of the dean or director and the responsible vice president, as well as Human Resources.

### VIII. SANCTIONS FOR CONDUCT NOT MEETING STANDARDS OF ETHICS

Investigation of a conflict of interest may involve the Internal Auditing Department, UHPD, and the General Counsel. The employee's supervisor and the appropriate vice president will be notified. If criminal activity is involved, UHPD will be involved and the employee will be subject to prosecution and criminal charges.

When a staff employee is involved, the investigation shall involve Human Resources and the appropriate vice president. When a faculty member is involved, the investigation shall include input from the Senior Vice President for Academic Affairs and Provost. When sponsored projects are involved, the investigation shall include the Vice President for Research and the Policy on Conflict of Interest for Academic Staff will be followed.

### IX. REVIEW AND RESPONSIBILITY

Responsible Party: Executive Director, Human Resources

Review: Every three years, on or before October 1

### X. APPROVAL

John M. Rudley, Vice President for Administration and Finance

Jerald Strickland, Senior Vice President for Academic Affairs and Provost

Jay Gogue, President

Date of President's Approval: 09/15/04

### VIII. REFERENCES

## UNIVERSITY OF HOUSTON POLICIES

- Statutory Standards of Conduct for State Employees, § 572.051, Texas Government Code
- Penal Code § 36.02 (Bribery), §36.07 (Honoraria), § 39.01
- Government Code 572.051
- General Appropriations Act Article IX, § 5. Political Aid, Legislative Influence
- UH Board of Regents Policies 21.03, 29.02, 81.01, 57.01, 57.02, 57.04, 57.07, 57.08
- UH System Administrative Memoranda 02.A.03, 02.A.08, 02.A.09, 02.A.10, 02.A.21, 02.A.39, 02D.07
- Index Terms:
  - Acceptance of gifts by employees
  - Bribery
  - Confidential information
  - Conflicts of interest
  - Consulting and paid professional services
  - Dual employment
  - Ethics
  - Expert witness service
  - Governmental appearances
  - Honoraria
  - Lobbying by state employees
  - Nepotism
  - Outside employment
  - Political activities by state employees
  - Pro bono work
  - Related party interest

### Addendum A - Statutory Standards of Conduct for State Employees

#### Addendum A

##### Statutory Standards of Conduct for State Employees Board of Regents 57.08 - Conflicts of Interest § 572.051, Texas Government Code

All members of the board and employees of the system and its component institutions shall adhere to and be furnished a copy of the Statutory Standards of Conduct for State Employees, Section 572.051, Texas Government Code, and shall avoid conflicts of interest, generally described as the use of one's university employment or position to obtain unauthorized privileges, benefits, or things of value for oneself or others, including the following:

1. No board member or employee shall solicit, engage, or agree to accept any privilege, benefit, or thing of value for the exercise of his or her discretion, influence, or powers as an employee except as is allowed by law.
2. No board member or employee shall accept any privilege, benefit, or thing of value that might influence him or her in the discharge of his or her duties as an employee.
3. No board member or employee shall use his or her position to secure special privileges or exemptions for themselves or others, except as is allowed by law.

## UNIVERSITY OF HOUSTON POLICIES

4. No board member or employee may be an officer, agent, employee, or member of, or own an interest in a professional activity that might require or induce them to disclose confidential information acquired by reason of his or her system position.
5. No board member or employee shall accept employment or engage in any business or professional activity that might require or induce them to disclose confidential information acquired by reason of their system position.
6. No board member or employee shall disclose confidential information gained by reason of their system position, or otherwise use such information for personal gain or benefit.
7. No board member or employee shall transact any business for the system with any entity of which they are an officer, agent, employee, or member, or in which they own a significant interest.
8. No board member or employee shall make personal investments in any enterprise that might create a substantial conflict between their private interests and the system's interests.
9. No board member or employee shall accept other employment that might impair their independence of judgment in the performance of their system duties.
10. No board member or employee shall receive any compensation for services from any source other than the State of Texas except as allowed by law.
11. No board member or employee who exercises discretion in connection with contracts, purchases, payments, claims or other pecuniary transactions shall solicit, accept, or agree to accept any benefit from a person or entity the employee knows or should know is or is likely to become financially interested in such transactions.

Failure of any employee to comply with the foregoing shall constitute grounds for discharge or other disciplinary action.

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Division of Research Policy on Conflict of Interest for Academic Staff  
[[http://www.research.uh.edu/PCC/Research\\_Policies.html](http://www.research.uh.edu/PCC/Research_Policies.html)]

University of Houston  
Policy on Conflict of Interest for Academic Staff

Introductory Note

In recent years, the issue of conflict of interest has become increasingly important. University faculty and some staff members have taken on new and different functions in addition to the traditional roles of teaching, research, and public service. Spin-off companies transferring technology developed in the laboratory, extensive consultative activities, and various types of public service involvement are encouraged by both federal and state agencies, and by the University as necessary for the public good. Governmental agencies, becoming more concerned about the extent and type of these activities as they relate to funded and proposed research and scholarly activities of faculty and some staff have issued regulations which require universities to develop, publish, and enforce institutional policies which comply with certain federal mandates. Key in these policies is the requirement for regular, timely, and full disclosure of actual or



## UNIVERSITY OF HOUSTON POLICIES

potential conflicts of interest as they relate to significant financial interests which could reasonably be seen by an impartial observer as effecting the design, conduct, or reporting of research or educational activities funded or proposed for funding by an external sponsor.

### DEFINITIONS

#### Academic Staff Member

An academic staff member means the principal investigator, co-principal investigator, and any other person at the University who is responsible for the design, conduct, or reporting of research or educational activities. This definition includes anyone who is paid by or whose work is supported by a grant or contract whether the support is internal or external (e.g., graduate students, postdoctoral fellows, but not technicians or clerical employees) and includes the immediate family of the academic staff member.

#### Executive Unit Head

The executive unit head means the chair, or equivalent of other units such as the director of a center or institute, in whom primary administrative authority resides. If a conflict exists for an executive unit head, the term refers to the head of the next level of administrative authority in the normal reporting line.

#### Immediate Family

Immediate family means the academic staff member's spouse and dependent children as defined by the IRS.

#### Significant Financial Interest

Significant financial interest means anything of monetary value, including, but not limited to salary, other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights).

The term does not include:

- Salary, royalties or other remuneration from the University;
- Any ownership interest in the institution, if the institution is an applicant under the Small Business Innovation Research Program or Small Business Technology Transfer Program;
- Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- Income from service on advisory committees or review panels for public or nonprofit entities;
- An equity interest that, when aggregated for the investigator and the investigator's spouse and dependent children, meets both of the following tests: does not exceed \$10,000 in value

## UNIVERSITY OF HOUSTON POLICIES

as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a 5% ownership interest in any single entity; or

- Salary, royalties or other payments that, when aggregated for the investigator and the investigator's spouse and dependent children, are not expected to exceed \$10,000 during the next twelve-month period.

### GENERAL PRINCIPLES

#### Conflict of Interest

A conflict of interest may take various forms but exists when there is a divergence between an individual's private interests and his or her professional obligations to the University such that an independent observer might reasonably question whether the individual's professional actions or decisions might be influenced by considerations of gain, financial or otherwise, for the individual or his or her family members or for other parties. A conflict of interest depends on the situation, and not on the character or the actions of the individual.

Conflicts of interest are common and practically unavoidable in a modern research university. Conflicts of interest can arise out of the fact that a mission of the University is to promote public good by fostering the transfer of knowledge gained through University research and scholarship to the private sector. Two important means of accomplishing this mission include consulting and the commercialization of technologies derived from University research. It is appropriate that individuals be rewarded for their participation in these activities through consulting fees, sharing in royalties resulting from the commercialization of their work, ownership and/or other associations with spin-off companies. It is wrong, however, for an individual's actions or decisions, made in the course of his or her University activities, to be determined by considerations of personal financial gain. Such behavior calls into question the professional objectivity and ethics of the individual and reflects negatively on both the institution and the external sponsor of the research activity.

Members of the academic community should conduct their affairs so as to avoid or minimize conflicts of interest, and must respond appropriately when apparent conflicts of interest arise. To that end, the purposes of this policy are to educate individuals about situations that generate conflicts of interest, to provide means for individuals and the University to manage, reduce, or eliminate actual or potential conflicts of interest, and to describe situations that are prohibited. Every member of the academic community has an obligation to become familiar with, and abide by, the provisions of this policy. If a situation arises which raises questions of conflict of interest academic staff are urged to discuss the situation with their department chair, college dean, or the Vice President for Research.

### STATEMENT OF POLICY

#### Policy

Prior to the University entering into any of the arrangements listed below, the involved academic staff member must have submitted to the chair of his/her department or the executive unit head a

## UNIVERSITY OF HOUSTON POLICIES

complete written disclosure. This disclosure should include 1) his or her current or pending relationship with the outside enterprise or entity in which the academic staff member has a significant financial interest, 2) the relationship of the proposed University activity to the enterprise or entity, and 3) the means by which the academic staff member proposes to address actual or potential conflicts of interest which arise from his or her, including immediate family members, dual University and enterprise or entity roles.

- A) Project proposals where any of the involved academic staff members (or immediate family members) have employment or consulting arrangements or significant financial interests in an enterprise or entity whose interests might be affected by the outcome of the proposed project.
- B) Project proposals in which any of the involved academic staff members (or immediate family members) have employment or consulting arrangements or significant financial interests in the proposed sponsor, subcontractor, vendor, or collaborator with the proposed project.
- C) Gifts, including cash or property, which will be under the control, or will directly support the teaching or research activities of an academic staff member from an enterprise or entity in which that academic staff member (or immediate family members) has an employment or consulting arrangement or significant financial interests.
- D) University technology licensing arrangements with an enterprise or entity for which the inventor (or immediate family members) has employment or consulting arrangement or significant financial interests.
- E) Common sense must prevail in the interpretation of these provisions. That is, if a reasonable, disinterested person would question the relationship, it should be disclosed and approval sought for the proposed arrangement.

### Certification of Compliance

On an annual basis, all academic staff members must certify to their department chair or executive unit head their knowledge of and compliance with the financial disclosure policy of the University as outlined herein. (A sample certification form is at the end of this document.) The certification form also requires the same information about members of the academic staff member's immediate family. Academic staff members must supply this information for confidential review by the University. At minimum, disclosures must include the information found on the sample certification form at the end of this document. Individual colleges of the University may design their own forms, including more, but not less, information than that requested below.

In addition, academic staff members must disclose to their department chair or executive unit head on an ad hoc basis new situations in which significant financial interests are obtained and which may raise questions of conflict of interest as soon as such situations become known to the academic staff member.

## UNIVERSITY OF HOUSTON POLICIES

The department chair or the executive unit head (if he/she does not report to the Vice President for Research) will review the certification form and forward to the Division of Research or to the Dean of the appropriate college as indicated on the certification form.

The dean or executive unit head (if he/she reports to the Vice President for Research) will review the financial disclosure, determine whether an actual or potential conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by the institution to manage, reduce or eliminate such conflict of interest. An actual or potential conflict of interest exists when the reviewer(s) reasonably determines that a significant financial interest could affect the design, conduct, or reporting of the research or educational activities in question.

Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate actual or potential conflicts of interest include:

- Public disclosure of significant financial interests;
- Monitoring of research by independent reviewers;
- Modification of the research plan;
- Disqualification from participation in that portion of the research that would be affected by the significant financial interests;
- Divestiture of the significant financial interests; or
- Severance of relationships that create actual or potential conflicts.

If the dean or executive unit head determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare, then the dean or executive unit head may recommend that the research go forward without imposing such conditions or restrictions. Such a recommendation will be forwarded to the Vice President for Research, who shall be advised by a committee of faculty, for his or her review and approval. However, in any case any significant financial interest shall be publicly disclosed.

Following review and approval of any proposed arrangements by the dean or the executive unit head, the academic staff member's disclosure and the dean's findings and recommendation shall be submitted to the Vice President for Research, who shall be advised by a committee of faculty, for his or her review and approval.

Records of all financial disclosures and of all actions taken to resolve actual or potential conflicts of interest will be maintained in the Division of Research until at least 3 years beyond the termination or completion of the sponsored project award to which they relate, or the resolution of any government action involving those records.

Failure of any academic staff member to comply with this policy shall constitute grounds for disciplinary action.

# UNIVERSITY OF HOUSTON POLICIES

## PROCEDURAL DETAIL

### Responsibilities of Academic Deans and Executive Unit Heads

Each department chair, dean, executive unit head and the Vice President for Research is responsible for the timely review of annual certifications as well as ad hoc disclosure reports. The dean shall use his or her discretion and knowledge of local conditions to set up a system that works well for the college. Each college's plans for distribution, receipt, processing, and review of disclosure forms shall be submitted to and approved by the Vice President for Research. However, individual colleges may have more, but not less, restrictive internal policies than those set forth by the University.

College deans and executive unit heads will file their own disclosures and certifications of compliance with the Vice President for Research.

### Responsibilities of the Vice President for Research

The Vice President for Research is the University officer responsible for interpreting and overseeing implementation of and compliance with this Policy. He or she is responsible for reviewing and approving each college's mechanisms for implementing this Policy.

The Vice President for Research is responsible for keeping the appropriate external funding agency informed if the institution finds it is unable to satisfactorily manage an actual or potential conflict of interest for any activity where that agency requires that it be notified in such instances.

### Appeals of Decisions Made by the Vice President for Research

Should an academic staff member wish to appeal a decision made by the Vice President for Research, he or she may present the appeal to the President of the University of Houston.

### Implementation

This policy as written is based on the final regulations issued by the National Science Foundation and the Public Health Service effective October 1, 1995.

All academic staff members will be required to submit an annual disclosure (see attached) beginning September 1995 and when submitting a research proposal to one of the agencies which has mandated financial disclosure and to respond to the specific requirements related to that proposal submission as required by that agency. Faculty submitting proposals to the NSF or PHS (including NIH) on or after October 1, 1995, will be required to complete and submit a disclosure prior to submission of proposals.

Reviewed 9/1999

# UNIVERSITY OF HOUSTON POLICIES

## APPENDIX I

[[http://www.research.uh.edu/PCC/Research\\_Policies.html](http://www.research.uh.edu/PCC/Research_Policies.html)]

**University of Houston  
Annual Certification of Compliance  
With the Policy on Conflict of Interest for Academic Staff  
September 1, \_\_\_\_\_(year) through August 31, \_\_\_\_\_(year)**

NAME \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ TITLE \_\_\_\_\_

The following questions apply to your situation as it currently exists. If there are any changes during the current fiscal year (i.e., September 1 through the following August 31) you must resubmit this form with the new information. **If you answer "YES" to any of the questions below, list each such arrangement, provide an attached written explanation, and indicate how you propose to manage, reduce or eliminate the conflict of interest.**

1. Do you currently have internally or externally sponsored research or are you supported by a grant or contract the outcome of which could affect the interests of an enterprise or entity which you **(or your immediate family of relations, i.e. spouse, blood relations, step-relations, in-laws and adoptive relations)** have employment or consulting arrangements and/or significant financial interest?  
 YES or NO
2. Do you currently have internally or externally sponsored research or are you supported by a grant or contract where you **(or your immediate family of relations, i.e. spouse, blood relations, step-relations, in-laws and adoptive relations)** have employment or consulting arrangements and/or significant financial interests with the sponsor of the research, a subcontractor to the grant, a vendor, or a research collaborator?  
 YES or NO
3. Do you currently have gifts or cash or property which are under your control, or which directly support your teaching or research activities from an enterprise or entity in which you **(or your immediate family of relations, i.e. spouse, blood relations, step-relations, in-laws and adoptive relations)** have an employment or consulting arrangement and/or significant financial interests?  
 YES or NO
3. Does the University currently have a technology licensing arrangement with an enterprise or entity for which you, the inventor, **(or your immediate family of relations, i.e. spouse, blood relations, step-relations, in-laws and adoptive relations)** have employment or consulting arrangements and/or significant financial interests?  
 YES or NO

### **CERTIFICATION**

In submitting this form, I certify that the above information is true to the best of my knowledge and that I have read the University's policies related to conflict of interest as described in the "Policy on Conflict of Interest for Academic Staff." I supply this information for confidential review by the University and I do not authorize release of any of it for any other use.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Revised COI Form 08.2009

## UNIVERSITY OF HOUSTON POLICIES

### Administrative Review and Approval

**Department Chairman or Unit Head (signature required on all forms):**

- To the best of my knowledge no conflict of interest exists.
- A conflict of interest may exist but does not appear to be significant.
- A conflict of interest may exist which warrants further review

Chair (or Unit Head) Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Dean and Vice President for Research (signature required if any potential conflict is reported):**

Based on the information reported:

- To the best of my knowledge no conflict of interest exists.
- A conflict of interest may exist but does not appear to be significant.
- A conflict of interest may exist which warrants further review

Dean's (or Director's) Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Vice President for Research Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Instructions for Processing:**

All forms must be submitted annually by October 31 to the Division of Research. Original signatures are required. "Signed by," computer-generated, and rubber stamp signatures WILL NOT be accepted. Individuals with joint appointments must file a form with each unit. Completed and signed forms should be scanned and uploaded into the Division of Research database system. Instructions are available at:

[http://www.research.uh.edu/PCC/Research\\_Policies.html](http://www.research.uh.edu/PCC/Research_Policies.html)

Select "Procedure for Scanning and Storing Files in RD2K." The departments/dean's offices must have procedures in place for the filing and storage of the conflict of interest forms. Should you have any questions, please contact the Division of Research.

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

01.A.12 Standards of Conduct  
[<http://www.uhd.edu/about/hr/PS01A12.pdf>]

Memo to: All UH-Downtown/PS Holders -

UH-Downtown PS 01.A.12

Issue No. 3

From: Max Castillo, President

Effective date: 02/01/2004

Page 1 of 3

Subject: Standards of Conduct Policy

### 1. PURPOSE

This Policy Statement specifies the standards of conduct to which University of Houston - Downtown (UHD) employees shall adhere to in order to avoid conflicts of interest, in accordance with Chapter 572, Texas Government Code. In summary, no state employee may have a direct or indirect interest, including financial and other interests, or engage in business transactions or professional activities, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the employee's duties in the public interest. Further, new federal and state laws and regulations, together with growing scrutiny of the complex relationships between public institutions and outside public and private organizations and individuals, necessitate the clarification of standards of accountability for public employees. Requirements for ethical behavior are especially important to university employees because they are accountable to taxpayers for the use of public funds and have the responsibility to lead and educate students by example.

### 2. DEFINITIONS

2.1 Benefit: Anything an independent third party observer might reasonably regard to provide a monetary gain or advantage. When the appropriateness of a benefit is in question, it should not be accepted.

2.2 Conflicts of interest: are defined as the use of one's University employment to obtain unauthorized privileges, benefits or things of value for oneself or others.

2.3 Conflict of commitment: A situation in which an employee's outside activities interfere with the employee's primary commitment of time and intellectual energies to the University, or in which a full-time employee's primary professional loyalty is not to the University of Houston-Downtown.

2.4 Honoraria: A payment for speech, lecture, or services on which, by custom or agreement, a specific price may not be set.

### 3. POLICY/PROCEDURES

3.1 No employee shall accept or solicit any gift, favor, privilege, benefit, service, exemption, or thing of value that might reasonably tend to influence him/her in the discharge of official duties



## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

or that the employee knows or should know is being offered with the intent to influence the employee's official conduct.

3.2 A university employee commits the criminal offense of bribery if the employee solicits, offers, or accepts any benefit in exchange for a decision, opinion, recommendation, vote, or other exercise of discretion by the employee.

3.3 No employee shall accept other employment or engage in a business or professional activity, which foreseeably might require or induce him/her to disclose confidential information acquired by reason of this University position.

3.4 No employee shall accept other employment or compensation which might impair his/her independence of judgment in the performance of his/her University duties.

3.5 No employee shall make personal investments that could reasonably be expected to create a substantial conflict between the employee's private interests and the public interest.

3.6 By law, an employee may not solicit, agree to accept, or accept an honorarium in consideration for services the employee would not have been asked to provide but for his or her official position. This prohibition includes a payment made to a third party if made in exchange of the employee's services. These restrictions do not apply to food, transportation, and lodging in connection with the service provided.

3.7 No employee shall intentionally or knowingly solicit, accept or agree to accept any benefit for having exercised his/her official powers or his/her official duties in favor of another.

3.8 Board of Regents Policy, 21.08 requires university faculty and staff to disclose on a timely basis the creation or discovery of all potentially patentable inventions created or discovered in the course of their university activities or with use of university resources. Ownership of these inventions must be assigned to the university regardless of source of funding.

3.9 Failure of any employee to comply with the foregoing standards of conduct shall constitute grounds for discharge or other disciplinary action.

### 4. COMPLIANCE

4.1 The University of Houston - Downtown will distribute annually Policy Statement 01.A.12, Standards of Conduct, to all employees. An annual certification by regular faculty, exempt staff, and other key staff involved in procurement or funded research activities is required to include the following:

- Receipt of this Policy Statement and compliance with its provisions,
- Disclosure of any external consulting, employment, and professional activities,
- Including service on governing boards and ownership in outside enterprises,
- Providing the names of the external employers/organizations involved,
- Disclosure of any actual or potential conflicts of interest related to external employment, acceptance of benefits, or external investments, and

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

- Any additional information that may be required by federal funding agencies.

A timely review and approval or disapproval of written disclosures of pending relationships by university employees entering into any consulting, investment, professional, or other arrangements that may potentially involve a conflict of interest or commitment must be done prior to beginning any such activities. Approval must be secured in writing from the Vice-President for Administration and Finance. All approved activities must be reported annually by the Vice President of Administration and Finance to the University of Houston System Chancellor.

4.2 In addition to university-wide certifications, the President is required to submit an annual financial statement with the Texas Ethics Commission using the forms provided by the Commission. Vice Presidents, those at the director level or higher positions over procurement and contracting functions, and those employees considered by the University of Houston - Downtown to have high-level procurement responsibilities shall file with the Vice President for Administration and Finance a report disclosing the following information:

- The amount of any compensation received for services related to these associations and
- Known information regarding whether any of the organizations cited have any relationship to the University of Houston System and a description of the relationship.

4.3 Information received during the annual certification shall be compiled and submitted to the Chancellor through the Office of the Vice Chancellor for Administration and Finance prior to the Chancellor's annual report to the Board of Regents.

### 5. REVIEW AND RESPONSIBILITIES

Responsible Party (Reviewer): Assistant Vice President for Human Resources and Affirmative Action

Review: Bi-annually

President

Policy History

Issue #1: 05/16/1994

Issue #2: 03/15/1999

Issue #3: 02/01/2004

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05.C.07 Code of Conduct – Procurement Responsibilities

[<http://www.uhd.edu/about/hr/PS05C07.pdf>]

Memo to: UH-Downtown/PS Holders UH-Downtown/PS 05.C.07  
Issue No. 2  
From: William Flores, President Effective date: 08/12/10  
Page 1 of 3  
Subject: Code of Conduct - Procurement Responsibilities

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

### 1. PURPOSE

University of Houston-Downtown (UHD) employees have a responsibility to the public to maintain high institutional and personal standards in the performance of their official duties. This policy defines the standards of conduct that must be met by all university employees engaged in any activity related to purchasing or contracting for goods or services for the university. This policy complies with state and federal laws, standards of ethics, and good business practices.

### 2. DEFINITIONS

- 2.1 **Benefit:** Anything reasonably regarded as providing monetary gain or advantage. For the purposes of this policy, such benefit shall include personal and individual invitations to meals or items of significant gain or advantage with a value of \$50.00 or more.
- 2.2 **Conflict of interest:** A situation in which there is a divergence between the employee's private interests and the employee's professional obligations to the University (i.e. the public interest) such that an independent observer might reasonably question whether the employee's actions or decisions are determined by considerations of private gain, financial or otherwise, to the University's detriment.
- 2.3 **Financial relationship:** Includes paid employment, consulting or other contract work, ownership or investment such that the relationship accrues a financial benefit to the employee or family member. This directive concerns benefits to the employee or family member that are direct and substantial.
- 2.4 **Immediate family:** Includes spouse and dependent children. Dependent children, for the purposes of this policy, include adopted, step-, and foster children, as well as natural sons and daughters.
- 2.5 **Procurement or purchasing activities includes:**
  - 2.5.1 approvals, disapproval, or recommendations concerning a procurement transaction
  - 2.5.2 preparation of any part of procurement actions
  - 2.5.3 influencing the content of any specification or procurement standard
  - 2.5.4 acting in any advisory capacity including rendering of advice, investigation, or auditing in any procurement activity
- 2.6 **Regular employee:** A university employee who is employed at least 20 hours per week on a regular basis for a period of at least 4-1/2 months, excluding students employed in a position for which student status is a condition of employment.

### 3. POLICY

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

- 3.1 This policy applies to all procurement activities by all university employees, and in particular to regular faculty, exempt staff, and non-exempt staff who have certifying signature authority. These directives apply to procurement actions from all sources of funds.
- 3.2 UHD employees shall not participate in the selection of a vendor or the award or administration of any contract or purchase if a real or apparent conflict of interest would be involved. A conflict would exist if the employee or any member of his or her immediate family had a financial or other interest in a firm otherwise eligible for the procurement action, and that interest would result in personal benefit to the employee or family member.
- 3.3 University employees shall neither solicit, demand nor accept any gift, favor, privilege, benefit, service, exemption, special discount, trip, employment, loan, gratuity, economic opportunity, or thing of value from any vendor, contractor, or party to a subagreement that would result in personal benefit and/or that could influence the employee's official conduct. In cases where the appropriateness of the benefit may be in question, the benefit should not be accepted.
- 3.4 Any attempt to realize personal gain through conduct inconsistent with the proper discharge of the employee's duties to the university is a breach of the public trust and will subject the employee to disciplinary action up to and including termination, as well as to the possibility of criminal charges.
- 3.5 University employees who, as a function of their job responsibilities, participate directly or indirectly in any procurement activity may not (nor shall any member of their immediate families):
  - 3.5.1 acquire or maintain a direct financial relationship pertaining to the procurement
  - 3.5.2 acquire or maintain a direct financial relationship with a business or organization pertaining to the procurement
  - 3.5.3 enter into a negotiation or an arrangement concerning prospective employment with a person, business, or organization involved in any specific procurement in which the employee is involved.
- 3.6 A university employee shall not offer, give, or agree to give any individual or organization a gratuity, benefit, or offer of employment in connection with any procurement activity.
- 3.7 A university employee may not disclose confidential information obtained by reason of his or her position nor otherwise use such information for actual or anticipated personal gain or for the personal gain of any other person.
- 3.8 This policy allows the use of employee-authored textbooks or other intellectual property in the employee's courses.

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

- 3.9 All faculty and staff in a position to originate purchase requests or influence purchasing decisions shall annually complete a disclosure statement regarding related-party interests as required in UH System Administrative Memorandum 03.A.17, Disclosure of Related Party Interests.

### 4. PROCEDURES

There are no procedures associated with this policy.

### 5. EXHIBITS

There are no exhibits associated with this policy.

### 6. REVIEW PROCESS

Responsible Party: Vice President for Administration & Finance and Vice President for Academic Affairs

Review: Every three years on or before August 1<sup>st</sup>.

Signed original on file in Employment Services and Operations.

### 7. POLICY HISTORY

Issue #1: 11/01/99

### 8. REFERENCES

UH System Administrative Memorandum 03.A.17

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06.A.03 Standards of Conduct in Government-Sponsored Research  
[<http://www.uhd.edu/about/hr/PS06A03.pdf>]

Memo to: All UH-Downtown/PS Holders

UH-Downtown/PS 06.A.03

Issue No. 2

From: Max Castillo, President

Effective date: 05/02/01

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Subject: Standards of Conduct in Government-Sponsored Research

### 1. PURPOSE

This PS outlines the standards of procedure and conduct in Government-sponsored research adhered to by the University of Houston - Downtown (UHD). These standards are part of a joint

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

statement of The Council of the American Association of University Professors and The American Council on Education. All University employees must abide by the procedures outlined herein to prevent conflicts of interest with outside parties, including government agencies.

### 2. POLICY/PROCEDURES

2.1 Favoring of Outside Interests. When a University employee involved in government-sponsored work has a significant financial interest in, or a consulting arrangement with, a private business concern, actual or apparent conflicts of interest must be avoided between his government-sponsored University research obligations and his outside interests and other obligations. Situations in or from which conflicts of interest may arise are:

2.1.1 Undertaking or orientation of the employee's University research to serve the research or other needs of the private firm without disclosure of these activities to the University and to the sponsoring agency;

2.1.2 Purchase of major equipment, instruments, materials, or other items for University research from the private firm in which the employee has the interest without disclosure of such interest;

2.1.3 Use for personal gain or to benefit a private entity of Government-sponsored work products, results, materials, records, or information that are not made generally available (This would not necessarily preclude appropriate licensing arrangements for inventions, or consulting on the basis of Government-sponsored research results where there is significant additional work by the employee independent of the Government-sponsored research);

2.1.4 Use for personal interest or other unauthorized use of privileged information acquired in connection with the employee's Government-sponsored activities. Privileged information includes, but is not limited to, medical, personnel or security records of individuals; anticipated material requirements of price actions; possible new sites for government operations; and knowledge of forthcoming programs or selection of contractors/subcontractors in advance of official notice.

2.1.5 Negotiation or influence upon the negotiation of contracts relating to the employee's Government-sponsored research between the University and private organizations with which the employee has consulting or other significant influence.

2.1.6 Acceptance of gratuities or special favors from private organizations with which the University does or may conduct business in connection with a Government-sponsored research project, or extension of gratuities or special favors to employees of the sponsoring Government agency, under circumstances which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties.

2.2 Distribution of Effort. There should be a clear understanding, by all concerned parties, of the amount of time and responsibilities for which an employee is accountable, when involved in Government-sponsored research. A demonstrable relationship between the effort or responsibility proposed in the research agreement and the actual extent of the employee's involvement is expected in order to avoid any misconceptions of the amount of intellectual effort being devoted to the research in question.

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

2.3 Consulting for Government Agencies or their Contractors. When the University employee engaged in Government-sponsored research also serves as a consultant to a Federal agency, his/her conduct is subject to the provisions of the Conflict of Interest Statutes (18 U.S.C. 202-209 as amended). If the employee consults for one or more Government contractors, or prospective contractors, in the same technical field as his/her research project, care must be taken to avoid giving advice that may be of questionable objectivity because of its possible bearing on his/her other interests. In undertaking and performing consulting services, the employee shall make full disclosure of such interests to the University and to the contractor insofar as they may appear to relate to the work at the University for the contractor.

2.4 University Responsibilities. UHD recognizes that disclosure and consultation are the obligations assumed by the University when it accepts government funds for research. UHD will herein implement organizational and administrative actions to prevent conflicts of interest in Government-sponsored research.

2.4.1 The Coordinator of Grants and Contracts and the Principal Investigator will insure that all Government funds are expended for the purposes for which they are intended and that all services which are required in return for these funds are supplied (See Exhibit A for specific procedures.).

2.4.2 Any UHD employee involved in Government-sponsored research must consult with the appropriate vice president before accepting any outside professional work to insure there will not be any real or perceived conflicts of interest with the research.

2.4.3 The Vice President for Administration or designee will serve as an informed source of advice and guidance for consultation on problems that may or do develop as a result of University employees' outside financial or consulting interests, as they relate to their participation in any Government-sponsored research.

2.4.4 All University employees participating in Government-sponsored research must abide by the standards outlined herein as well as those delineated in all Grant Administration policies (PS 06.A.xx).

### 3. REVIEW AND RESPONSIBILITIES

Responsible Party (Reviewer): Vice President for Administration

Review: Biennial

President

Policy History

Issue #1: 09/30/94

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

EXHIBIT A  
(PS 06.A.03)

### UNIVERSITY OF HOUSTON - DOWNTOWN GRANT ACCOUNTING PROCEDURES

The University of Houston – Downtown (UHD) is the recipient of awards and grants from various governmental or private entities. These grants are awarded for specific activities, such as research.

The Coordinator of Grants and Contracts is responsible for the accounting, reconciliation, reporting and reimbursement activities relating to awards. For each award, separate accountability is maintained.

Upon receipt of an award, an account number is assigned and the budget is established based on the allocations approved by the awarding agency. The budget is created according to the categories of the award and the Principal Investigator (PI) is assigned as the Account Manager.

In most cases, the University will initially expend its own funds. Some federal grants are reimbursed through a letter of credit arrangement with the various federal agencies. An established volume criteria per agency must be maintained before a letter of credit may be established with an agency. Therefore, UHD's letters of credit are combined with the other UH components. UHD draws down funds daily or weekly depending on the agency. The Coordinator of Grants and Contracts monitors these types of expenditures closely to minimize the length of time local funds are used. UH Central Research Accounting Office prepares the federal PMS 272 report (monthly for the Department of Education and quarterly for other federal agencies). Expenditures for grants from state or private entities are billed to the agencies. These billed receivables are also monitored closely to insure timely payments.

Grant Accounting is responsible for requesting funds from the awarding agency, tracking expenditures, verifying the legality of the expenditures and matching them against the award budget and balance. Periodic reporting of the expenditures and reconciliation of reimbursements is required for each grant, as dictated by the awarding agency.

Once a month, an account analysis is processed for each grant and forwarded to the respective Principal Investigator. The PI will:

1. Review all expenditures;
2. Recommend action should encumbrances need to be changed or canceled. (PI notifies Grant Accounting of needed corrections);
3. Request Grant Accounting to process any necessary reclassification of budgetary-related items, after seeking approval from the awarding agency. Accounting will notify the Budget Office which will make all necessary changes; and
4. Request reclassification of accounts if overexpenditures occur. The PI must supply Grant Accounting with the departmental account that will absorb this expense. Grant Accounting will process the entry.

Research Accounting will reconcile the general subledgers for all grant accounts (Ledger 5) on a monthly basis.

Prior to the expiration of a grant, the PI will be responsible for the following:



## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

1. Notify the Purchasing Department regarding the disposition of any outstanding encumbrances relating to purchases.
2. Notify the Payroll Department regarding the disposition of any outstanding payroll encumbrances relating to items that are not in line with the original intent of the approved grant budget.
3. Review expenditures as they relate to particular budgets granted. If expenditures should be applied to another account, the Grant Accounting Department should be notified.
4. Notify the Budget and Grant Accounting departments regarding any reclassification, or proposed reclassification, of any budgetary change to the account. This may require prior approval by the awarding agency.
5. If the account has a negative balance of funds available, the Grant Accounting Department will be notified as to which account will be used to absorb any expenditures that have exceeded the original budgeted amount.

Once the PI complies with the foregoing steps, Grant Accounting will process and forward the final financial report to the regulatory agency.

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### 06.A.04 Procurement Integrity Policy

[<http://www.uhd.edu/about/hr/PS06A04.pdf>]

Memo to: All UH-Downtown/PS Holders

From: Max Castillo, President

Subject: Procurement Integrity Policy

UH-Downtown/PS 06.A.04

Issue No. 2

Effective date: 05/02/01

Page 1 of 1

### 1. PURPOSE

This PS outlines the prohibited actions by of University of Houston - Downtown (UHD) personnel who have any role in the development and submission of proposals to federal agencies and/or negotiations of any contracts.

### 2. POLICY/PROCEDURES

2.1 Section 27 of the OFPP Acts Amendment of 1988, entitled "Procurement Integrity" prohibits certain activities by universities and their personnel, especially principal investigators and administrative officials, while the government is reviewing proposals in anticipation of making an award. This law affects the interaction of University personnel with program and procurement officials in the federal government. It may also affect the interaction of University personnel as consultants to any governmental agency.

2.2 Activities which University personnel are prohibited from engaging in are as follow:

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

- 2.2.1 Discuss any potential future employment of government officials;
- 2.2.2 Provide anything of value to governmental officials or their families;
- 2.2.3 Offer any money, gratuity, or other thing of value to any procurement officer; or
- 2.2.4 Solicit proprietary or source selection information from governmental officials.

2.3 If the proposed award is \$100,000 per year or more, the Vice President for Administration shall file, concurrent with submission of the proposal and/or the award, a certification concerning procurement integrity by the University (Exhibit A).

2.4 Violation of these regulations will result in loss of contract awards (or a part thereof), and may result in suspension or debarment from receipt of any federal awards.

### 3. REVIEW AND RESPONSIBILITY

Responsible Party (Reviewer): Vice President for Administration

Review: Biennial

President

Policy History

Issue #1: 08/01/94

EXHIBIT B  
(PS 06.A.04)

### UNIVERSITY OF HOUSTON-DOWNTOWN CERTIFICATION REGARDING PROCUREMENT INTEGRITY (Federal Contracts and Grants)

The undersigned certifies, to the best of his knowledge and belief, that the University of Houston-Downtown has abided by the requirements of the Procurement Integrity regulations, whereby University employees have not, knowingly:

- a) Made, directly or indirectly, any offer or promise of future employment with any procurement officer of the federal agency;
- b) Offered or gave, directly or indirectly, any money, gratuity, or other thing of value to any procurement officer of the federal agency;
- c) Solicited or obtained, directly or indirectly, any proprietary or source selection information regarding such procurement.

T. Chaney Anderson, Vice President for Administration

Date

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

06.A.07 Ethical Conduct in Research and Government-Sponsored Activities  
[<http://www.uhd.edu/about/hr/PS06A07.pdf>]

Memo to: All UH-Downtown/PS Holders

UH-Downtown/PS 06.A.07

Issue No. 2

From: Max Castillo, President

Effective Date: 04/30/01

Page 1 of 3

Subject: Ethical Conduct in Research and Government-Sponsored Activities

### 1. PURPOSE

This PS states the University of Houston - Downtown (UHD) policy and procedures for promoting ethical behavior in all research, scholarly and creative activities, and government-sponsored activities, and outlines how to handle allegations of scientific misconduct. This policy does not address items such as differences in interpretation or judgment of data, scholarly or political disagreements, personal or professional opinions, or private, moral or ethical behavior or views.

### 2. DEFINITIONS

2.1 Misconduct is defined as deliberate fabrication, falsification plagiarism, or other serious deviation from practices commonly accepted in the academic and scientific communities for proposing, conducting, or reporting results from education, research, and scholarly or creative activities. Misconduct also refers to retaliation against a person who, acting in good faith, reports or provides information about suspected or alleged misconduct.

2.2 Inquiry is defined as a stage of preliminary information-gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.

2.3 Investigation is a formal examination and evaluation of relevant facts to determine whether misconduct has taken place or, if misconduct has already been confirmed, to assess its extent and consequences and/or to determine appropriate action.

2.4 Relevant Parties is defined as the person(s) against whom the allegations were made, the person making the allegations, and the funding agency (if a government-sponsored activity).

### 3. POLICY/PROCEDURES

#### 3.1 Policy

3.1.1 All research and government-sponsored activities in which members of the University community engage shall be conducted according to the recognized high ethical standards of collegiate education and research.

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

3.1.2 Ethical behavior includes, but is not limited to, faithful representation of data and accurate disclosure of all facts pertaining to all education and research activities.

3.1.3 Participants in research projects must be noted and persons listed as coauthors on research reports of any type must have a bona fide role in the research and accept responsibility for the quality of work reported.

3.1.4 All members of the University community have the responsibility to report those activities which they believe constitute unethical behavior.

3.1.5 All allegations of misconduct involving science and/or engineering activities funded by the Public Health Service, the National Institutes of Health, and/or the National Science Foundation, must be reported according to the steps delineated in Exhibit A.

### 3.2 Procedures for Investigating Allegations of Misconduct

3.2.1 Allegations of unethical behavior or misconduct shall be reported in writing to the Vice President of Academic Affairs and Provost (VPAA) for review and action. If the VPAA has a possible conflict of interest, the allegation shall be reported to the President. In such instances, duties assigned to the VPAA in implementing this policy will be implemented by the President.

3.2.2 The VPAA will authorize an inquiry into the suspected or alleged misconduct and determine whether the allegations warrant further examination as violations of University policy. The initial inquiry will last no longer than 60 calendar days and must include a meeting with the subject(s) of the allegation. This inquiry will result in the VPAA Inquiry Report containing the following information:

- a. Name of the person(s) against whom the allegations were made;
- b. General nature of the allegations;
- c. The application/grant number (if a government-funded activity);
- d. Evidence reviewed and persons interviewed; and
- e. Conclusions. (A decision to dismiss the allegation or proceed with a formal investigation.)

3.2.3 If the allegations are dismissed, the VPAA will notify the relevant parties within 10 working days. A detailed record of the inquiry shall be maintained in the Office of the Vice President for Administration to allow for a later assessment of the reasons for not conducting a formal investigation. These records shall be securely stored for a period of at least three years after termination of the inquiry.

3.2.4 If the decision is made to initiate a formal investigation, the VPAA will notify the relevant parties and appoint an Investigating Committee (IC). The VPAA will forward to the IC the initial report. The members of the IC will be appointed by the VPAA in consultation

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

with the Executive Committee of the Faculty Senate. The IC will consist of at least two tenured faculty representatives from each of the three colleges.

3.2.5 At its first meeting, the IC will elect a chair to handle procedural and administrative matters. The investigative phase will begin within 10 days of completion of the inquiry and shall reach a disposition within 60 days of its initiation. The IC may request the advice or appearance of individuals familiar with the nature of the study while maintaining, to the extent allowed by law, their confidentiality.

3.2.6 The IC shall insure confidentiality of the proceedings and shall undertake diligent efforts to protect the position, anonymity, and reputation of all parties in the misconduct investigation.

3.2.7 The subject of the allegation has the right to submit information to the committee and/or appear personally before the IC to present his/her case. Prior to such appearance, the subject of the allegation has the right to receive a written report from the IC detailing all the evidence relevant to the allegation. At this appearance, he/she may bring legal counsel or an advisor but must speak for himself/herself. If either the IC or the subject of the allegation wishes to have legal counsel or an advisor present during the hearing, the chair of the IC and/or the subject of the allegation must be notified at least one week in advance. This meeting shall be conducted informally.

3.2.8 A record of the proceedings and all related documentation shall be maintained by the IC's chair throughout the investigative process. Breach of confidentiality will be grounds for a charge of misconduct or other appropriate personnel action.

3.2.9 Once the investigation has been completed, the IC shall issue a formal report summarizing its findings and conclusions which may include a majority and minority report. Copies of the investigative report, the record of the proceedings and all related documentation will be forwarded to the VPAA. Within 10 working days of receiving this report, the VPAA will forward copies of the report to the relevant parties.

3.2.10 All documentation related to the inquiry and investigation proceedings shall be stored in the Office of the Vice President for Academic Affairs and Provost.

### 3.3 Penalties and Appeals

3.3.1 Within 10 working days of receipt of the report, the VPAA, consonant with the seriousness of the offense, shall impose disciplinary measures which include, but are not limited to, a written reprimand to be placed in the employee's personnel file, withholding of pay raises for a period of time, notification of the offense to pertinent organizations and publishers, or initiating dismissal procedures within the regulations of the University.

3.3.2 Sanctions imposed by the funding agency, if misconduct occurs in a government-sponsored activity, range from minimal restrictions to suspension or termination of an active award, loss of funding and/or debarment or suspension of an individual, a department, or the University from participating in government-sponsored programs.

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

3.3.3 Retaliation against the person(s) reporting the allegations of misconduct is prohibited and shall be dealt with as misconduct.

3.3.4 Interim administrative action may be taken by the university and/or the awarding agency upon receipt of allegations of misconduct in research or government-sponsored activities.

3.3.5 The subject of the investigation may appeal the IC's ruling and/or sanctions imposed by the VPAA to the President. This appeal must occur within 30 calendar days of the receipt of the ruling and/or sanctions being appealed. The President's decision will be final and binding.

### 4. REVIEW AND RESPONSIBILITIES

Responsible Party (Reviewer): Vice President for Academic Affairs  
Review: Biennial

President

Policy History  
Issue #1: 10/16/95

EXHIBIT A  
(PS 06.A.07)

### STEPS FOR DEALING WITH ALLEGATIONS OF MISCONDUCT (Science and Engineering Government-Sponsored Activities)

The University of Houston - Downtown has established an administrative process for promoting ethical behavior in education, research and government-sponsored activities and for handling allegations of scientific misconduct. To this end, the procedures stipulated in PS 06.A.07 and the steps outlined below will be followed.

1. Inform the funding agency if an initial inquiry into suspected or alleged scientific misconduct warrants a formal investigation. A copy of the written report resulting from the inquiry shall be received by the funding agency prior to the commencement of the investigation.
2. Keep the funding agency informed throughout the investigation.
3. Provide the funding agency with a copy of the investigation report including the sanctions imposed on the individual(s) against whom the allegations of scientific misconduct were made.
4. Notify the funding agency at any point during the inquiry and/or investigation phase(s) of the alleged misconduct if it involves any of the following:
  - a. Immediate health hazards;

## UNIVERSITY OF HOUSTON DOWNTOWN POLICIES

- b. Resources, reputation, or other interests of the funding agency which need to be protected;
  - c. Federal action may be needed to protect the interests of the subject of the investigation or of others potentially affected;
  - d. The scientific community or the public should be informed, or will be informed; or
  - e. There is a reasonable indication of a criminal violation. In that instance, the funding agency must be notified within 24 hours of obtaining that information.
4. Science and engineering proposals, for activities funded by the Public Health Service, the National Institutes of Health, and/or the National Science Foundation, must include a copy of the “Certification of Scientific Integrity” executed by the Vice President for Academic Affairs and Provost. This form may be obtained in the Office of the Vice President for Academic Affairs and Provost.

**UNIVERSITY OF HOUSTON DOWNTOWN POLICIES**

**UNIVERSITY OF HOUSTON - DOWNTOWN  
CERTIFICATION OF SCIENTIFIC INTEGRITY  
(Certification for Science or Engineering Proposals)**

The undersigned certifies that the University of Houston - Downtown (UHD) will ensure protection of the integrity of all education and research activities, research subjects, and the public; observance of legal requirements and responsibilities; an impartial process for receipt and disposition of allegations of scientific misconduct; prompt notification to the agency if allegations of scientific misconduct occur; protection of the person(s) bringing the allegation; and proper maintenance of a complete and accurate record of the misconduct proceedings for all government-sponsored science and engineering activities.

\_\_\_\_\_  
Vice President for Academic Affairs and Provost

\_\_\_\_\_  
Date



## UNIVERSITY OF HOUSTON CLEAR LAKE POLICIES

### 10.2.3 Procedure on Conflicts of Interest for Investigators

[[http://prtl.uhcl.edu/portal/page/portal/PRV/FORMS\\_POLICY\\_PROCEDURES/FACULTY\\_HANDBOOK/10\\_2\\_3\\_fh](http://prtl.uhcl.edu/portal/page/portal/PRV/FORMS_POLICY_PROCEDURES/FACULTY_HANDBOOK/10_2_3_fh)]

*Approved by University Council, March 10, 2005*

#### 1. Purpose

The Conflict of Interest policy applies to individual(s) applying for or receiving funds that are to be managed through the University. In accordance with Federal regulations, the University has a responsibility to manage, reduce, or eliminate any actual or potential conflicts of interest that may be presented by a financial interest of an investigator. Thus, the University requires that investigators disclose any significant financial interest that may present an actual or potential conflict of interest with a sponsored project. Violations of conflict of interest may result in fines and/or penalties against the university.

The goal of the Conflict of Interest policy is to facilitate maintaining objectivity in the production of research results.

#### 2. Definitions

2.1 To be in compliance with Federal regulations governing sponsored projects, we have adopted the following definitions.

2.2 Investigator means the principal investigator/project director, co-principal investigators, and any other person at the university who is responsible for the design, conduct, or reporting of research, educational, or service activities funded, or proposed for funding, by an external sponsor providing funds that are to be managed through the university. In this context, the term "Investigator" includes the investigator's spouse and dependent children.

2.3 Significant Financial Interest means anything of monetary value, including, but not limited to:

- salary or other payments for services (e.g., consulting fees or honoraria)
- equity interests (e.g., stocks, stock options or other ownership interests)
- intellectual property rights (e.g., patents, copyrights, and royalties from such rights).

The term does not include:

1. salary, royalties, or other remuneration from the university;
2. income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
3. income from service on advisory or review panels for public or nonprofit entities;
4. an equity interest that when aggregated for the Investigator and the Investigator's spouse and dependent children, meets both of the following tests: does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of

## **UNIVERSITY OF HOUSTON CLEAR LAKE POLICIES**

fair market value, or constitute more than a five percent ownership interest in any single entity, or

5. salary, royalties, or other payments that when aggregated for the Investigator and the Investigator's spouse and dependent children over the next twelve months, are not expected to exceed \$10,000.

Provided, however, that the exclusions in items (1), (4), and (5) shall not apply if the compensation or transfer of an equity interest is conditioned upon a particular outcome in a sponsored research project.

2.4 A Potential Conflict of Interest occurs when there is a divergence between an individual's private interests and his or her professional obligations to the University such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise. An actual conflict of interest depends on the situation and not on the character or actions of the individual.

### 2.5 Conflict of Interest

The following list illustrates some of the most common conflicts of interest that occur with sponsored programs:

- Altering the focus of a research program for the benefit of one's outside interests or for financial gain;
- Obtaining personal gain by influencing purchases of equipment, instruments, etc.;
- Influencing the negotiation of contracts for inappropriate personal or third party benefit;
- Using or releasing privileged information for personal or third party gain;
- Accepting gratuities or special favors in return for influencing the conduct of research.

### 3. Procedure

3.1 Prior to the University entering into any of the arrangements listed below, the involved Investigator must have submitted to the dean of his/her School or to the executive unit head a complete written disclosure. This disclosure should include 1) his or her current or pending relationship with the outside enterprise or entity in which the Investigator has a significant financial interest, 2) the relationship of the proposed University activity to the enterprise or entity, and 3) the means by which the Investigator proposes to address actual or potential conflicts of interest which arise from his or her, including immediate family members, dual University and enterprise or entity roles.

3.2 Project proposals where any of the involved Investigators (or immediate family members) have employment or consulting arrangements or significant financial interests in an enterprise or entity whose interests might be affected by the outcome of the proposed project.

3.3 Project proposals in which any of the involved Investigators (or immediate family members) have employment or consulting arrangements or significant financial interests in the proposed sponsor, subcontractor, vendor, or collaborator with the proposed project.

## UNIVERSITY OF HOUSTON CLEAR LAKE POLICIES

3.4 Gifts, including cash or property, which will be under the control, or will directly support the teaching or research activities of an Investigator from an enterprise or entity in which that Investigator (or immediate family members) has an employment or consulting arrangement or significant financial interests.

3.5 University technology licensing arrangements with an enterprise or entity for which the inventor (or immediate family members) has employment or consulting arrangement or significant financial interests.

3.6 Common sense must prevail in the interpretation of these provisions. That is, if a reasonable, disinterested person would question the relationship, it should be disclosed and approval sought for the proposed arrangement.

### 4. Implementation

This procedure as written is based on the final regulations issued by the National Science Foundation contained in Manual Number 15 as revised October, 1977 and the Public Health Service Objectivity in Research Guide, National Institutes of Health Guide, effective October 1, 1995.

### 5. Certification of Compliance

5.1 On an annual basis, all Investigators engaging in sponsored projects must certify to their dean or executive unit head their knowledge of and compliance with the financial disclosure policy of the University as outlined herein. (See Appendix I, sample certification form, at the end of this document.) The certification form also requires the same information about members of the Investigator's immediate family. Investigators must supply this information for confidential review by the University. At minimum, disclosures must include the information found on the sample certification form at the end of this document.

5.2 In addition, Investigators engaging in sponsored projects must disclose to their Dean or executive unit head on an ad hoc basis new situations in which significant financial interests are obtained and which may raise questions of conflict of interest as soon as such situations become known to the Investigator.

5.3 The dean or executive unit head will review the financial disclosure, determine whether an actual or potential conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by the institution to manage, reduce or eliminate such conflict of interest. An actual or potential conflict of interest exists when the reviewer(s) reasonably determines that a significant financial interest could affect the design, conduct, or reporting of the research or educational activities in question.

5.4 Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate actual or potential conflicts of interest include:

- Public disclosure of significant financial interests;

## UNIVERSITY OF HOUSTON CLEAR LAKE POLICIES

- Monitoring of projects by independent reviewers;
- Modification of the research plan;
- Disqualification from participation in that portion of the project that would be affected by the significant financial interests;
- Divestiture of the significant financial interests; or
- Severance of relationships that create actual or potential conflicts.

5.5 If the dean or executive unit head determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare, then the dean or executive unit head may recommend that the project go forward without imposing such conditions or restrictions. Such a recommendation will be forwarded through the Executive Director, Office of Sponsored Programs, to the Associate Vice President for Information Resources, who shall provide his or her approval and/or disapproval as delegated by the Provost. Restrictions similar to those listed in section 5.4 may be imposed by the Associate Vice President for Information Resources.

### 6. Appeals of Decisions

Should an Investigator wish to appeal a decision made by the Associate Vice President for Information Resources, he or she may present the appeal to the Provost who then forms the adhoc appeals committee. The adhoc appeals committee is to be made up of one faculty from each school selected by the dean of that school, one member from A&F and one non-academic position appointed by the Provost. The adhoc appeals committee will make a recommendation to the Provost who has final authority.

### 7. Retention of Records

Records of all financial disclosures and of all actions taken to resolve actual or potential conflicts of interest will be maintained in the Office of Sponsored Programs until at least 3 years beyond the termination or completion of the sponsored project award to which they relate, or the resolution of any government action involving those records.

Failure of any Investigator to comply with this policy shall constitute grounds for disciplinary action.

#### Appendix I

University of Houston-Clear Lake  
Annual Certification of Compliance

With the Procedure on Conflict of Interest for Investigators

NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
DEPARTMENT \_\_\_\_\_ EMPL ID \_\_\_\_\_

The following questions apply to your situation as it currently exists. If there are any changes during the current fiscal year (i.e., September 1 through the following August 31) you must resubmit this form with the new information. If you answer yes to any of the questions below,

**UNIVERSITY OF HOUSTON CLEAR LAKE POLICIES**

list each such arrangement, provide an attached written explanation, and indicate how you propose to manage, reduce or eliminate the conflict of interest.

1. Do you currently have internally or externally sponsored projects or are you supported by a grant or contract the outcome of which could affect the interests of an enterprise or entity in which you (or members of your immediate family, i.e., spouse or dependent children as defined by the Internal Revenue Service) have employment or consulting arrangements and/or significant financial interest.  YES or  NO
2. Do you currently have internally or externally sponsored project or are you supported by a grant or contract where you (or members of your immediate family, i.e., spouse or dependent children as defined by the Internal Revenue Service) have employment or consulting arrangements and/or significant financial interests with the sponsor of the project, a subcontractor to the grant, a vendor, or a research collaborator.  YES or  NO
3. Do you currently have gifts of cash or property which are under your control, or which directly support your teaching or research activities from an enterprise or entity in which you (or your immediate family members) have an employment or consulting arrangement and/or significant financial interests.  YES or  NO
4. Does the University currently have a technology licensing arrangement with an enterprise or entity for which you, the inventor, (or your immediate family members) have employment or consulting arrangements and/or significant financial interests.  YES or  NO

**CERTIFICATION**

In submitting this form, I certify that the above information is true to the best of my knowledge and that I have read the University's policies related to conflict of interest as described in the "Procedure on Conflicts of Interest for Investigators." I supply this information for confidential review by the University and I do not authorize release of any of it for any other use.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**Administrative Review and Approval**

Possible Conflict of Interest

1.  No activity is reported and to the best of my knowledge no conflict of interest exists.
2. Based on the activity reported (brief explanation for each significant interest must be attached), to the best of my knowledge and in my judgment:
  - a)  No conflicts exist.
  - b)  A conflict of interest may exist but does not appear to be significant.
  - c)  A conflict of interest may exist which warrants further review.

Dean's Signature<sup>1</sup> \_\_\_\_\_ Date

Associate Vice President for Information Resources<sup>2</sup> \_\_\_\_\_ Date

Distribution instructions:

When Item 1 is checked: Copies of each annual Certification of Compliance will be submitted to the Office of Sponsored Programs from the deans or executive unit heads for retention.

**UNIVERSITY OF HOUSTON CLEAR LAKE POLICIES**

When Item 2 is checked: The dean will forward such certification to the Associate Vice President for Information Resources—as designated by the Senior Vice President and Provost—who will forward copies of all Annual Certification of Compliance forms to the Office of Sponsored Programs after the potential conflict has been addressed.

Final Authority: Final authority resides with the Provost. In the event of appeal, final authority resides with the Provost. See Section 6.

Retention by Division of Research: The Office of Sponsored Programs will retain those annual Certification of Compliance and ad hoc reports as required by the external agencies.

<sup>1</sup>Required on all disclosures, whether or not any activity is reported.

<sup>2</sup>Required whenever 2(b) or 2(c) is checked.

For office use only

Action: \_\_\_\_\_

Comments: \_\_\_\_\_

Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Signature: \_\_\_\_\_

William A. Staples

Title: President

University of Houston-Clear Lake

Approval Date: March 10, 2005

Sunset Date: March 10, 2015

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

C-8 Employee Standards of Conduct (policy also addresses Conflicts of Interest)  
[www.uhv.edu/fin/policy/c/c-8.aspx](http://www.uhv.edu/fin/policy/c/c-8.aspx)

### **SECTION: PERSONNEL INDEX C-8**

### **SUBJECT: EMPLOYEE STANDARDS OF CONDUCT**

#### **POLICY**

Employees of the University of Houston-Victoria (UHV) are public servants and have a responsibility to the public in the performance of official duties. Federal and state law, together with growing scrutiny of the complex relationships between public institutions and outside public and private organizations and individuals, necessitate the clarification of standards of accountability for public servants. Requirements for ethical behavior are especially important in public institutions of higher education; university employees are accountable to taxpayers for the use of public funds and also have the responsibility to lead and educate university students by example.

The purpose of this policy is to ensure that employees are informed of their responsibilities for accountability and ethical conduct and that any potential conflict is reviewed and reported in accordance with state and federal law and University of Houston System Board of Regents Policies. This policy applies to all university employees, with certain reporting requirements for specific groups as noted.

University employees shall promptly disclose to their supervisor any substantiated information regarding what they believe to constitute a violation of this policy or any law or institutional policy.

Failure to comply with the provisions of this policy may subject the employee to disciplinary action up to and including dismissal, as well as to the possibility of criminal action.

#### **DEFINITIONS**

*Benefit:* Anything reasonably regarded by an independent observer as providing monetary gain or advantage. For the purposes of this policy, a benefit shall include, but is not limited to monetary gifts, meals, employment, travel, or items of significant gain or advantage with a value of \$50 or more. When the appropriateness of a benefit is in question, it should not be accepted.

*Bribery:* A university employee commits the criminal offense of bribery if the employee solicits, offers, or accepts any benefit in exchange for a decision, opinion, recommendation, vote, or other exercise of discretion by the employee.

*Conflict of Interest:* A situation in which there is a divergence between the employee's private interests and the employee's professional obligations to the university (i.e. the public interest) such that an independent observer might reasonably question whether the employee's actions or decisions are determined by considerations of private gain, financial or otherwise, to the university's detriment.

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

*Conflict of Commitment:* A situation in which an employee's outside activities interfere with the employee's primary commitment of time and intellectual energies to the university, or in which a full-time employee's primary professional loyalty is not to UHV. The general permitted limit to external commitments for faculty is one day per calendar week, never to conflict with the employee's scheduled classes or other duties and responsibilities.

*Consulting and outside employment:* For the purposes of this policy, activities undertaken for remuneration from a third party when the activity is within the scope of activities, functions, or expertise for which the individual is compensated by the university. This definition does not include unpaid public service or lectures for fees, unless these activities require significant amounts of time or otherwise adversely affect the employee's performance of university duties.

*Honoraria:* A payment for speech, lecture, or other services on which, by custom or agreement, a specific price may not be set. For the purposes of this policy, this definition includes any payment from an outside entity for services such as making a speech, teaching a class or workshop, or providing consulting services.

*Immediate family:* Includes spouse and dependent children. Children, for the purposes of this document, include adopted, step, and foster children, as well as natural sons and daughters.

*Related-party interest:* A business or personal relationship that exists between a university employee and an outside individual or organization that may influence the employee's actions or decisions due to considerations of private benefit - financial or otherwise - and/or may create or be perceived as creating a conflict of interest.

*Significant financial interest:* Anything of monetary value including, but not limited to salary, other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights) that, when aggregated with immediate family:

- exceeds \$10,000 fair market value and 5 percent ownership; or
- is expected to exceed \$10,000 in payments during the next 12-month period

### STANDARD OF CONDUCT GUIDELINES

University employees have a responsibility to the public in the performance of their official duties. High institutional and personal standards of conduct must be maintained to fulfill that responsibility. These standards must include avoiding any actions that would create the appearance of violation of laws or ethical principles

UHV employees shall avoid using their positions for purposes that are, or give the appearance of being motivated by a desire for private gain for themselves or others, such as those with whom they have family, business, or other ties. University employees shall exercise the utmost good faith in all transactions, activities, and behaviors related to their duties to the university and its property and resources. The principles of good faith and honest dealing apply to all aspects of the employee's responsibilities and activities on the part of the university, not just those identified in this policy as subject to particular statutes or causes for particular concern.



## UNIVERSITY OF HOUSTON VICTORIA POLICIES

- **Disclosure of Confidential Information** - No university employee shall disclose confidential information gained by reason of his or her position, nor shall the employee otherwise use such information for personal gain or benefit. Similarly, no employee shall accept other employment or engage in any business or professional activity that foreseeably might require or induce the employee to disclose confidential information acquired through his or her position.
- **Business, Investments, and Professional Activity** - An employee or the employee's immediate family shall not make personal investments in any enterprise that foreseeably might create a significant conflict between the employee's private interests and the university's interests. An employee shall not transact any business for the university with any entity of which he or she is an owner, officer, agent, employee, or member or in which the employee or the employee's immediate family owns any significant interest or accrues any benefit.
- **Bribery** - No employee shall solicit, offer or accept any benefit in exchange for a decision, opinion, recommendation, vote, or other exercise of discretion.
- **Outside Consulting or Other Employment** - The University expects employees to accord a full professional commitment to the university during the terms of their appointments. Interaction between employees and external entities for reasonable periods of time and for personal remuneration may be desirable when the relationship benefits the university, enhances the professional skills of the employee, or constitutes a public service. However, no employee shall accept consulting or external employment that might impair his or her independence of judgment in performance of university duties, nor shall an employee receive any compensation from any source other than the State of Texas except as allowed by law. The University bears no responsibility for any actual or implied obligations or liabilities incurred by an individual resulting from a consulting or other paid professional agreement or activity. All such activity must be reported to the immediate supervisor for approval before performing the work. The employee must be careful to avoid conflicts of interest and conflicts of commitment. Employees should be aware that a Conflict of Interest situation exists when outside activities interfere with the employee's primary commitment of time and intellectual energies to the university, or when a full-time employee's primary professional loyalty is not to the University. The general permitted limit to external commitments for faculty is one day per calendar week, never to conflict with the employee's scheduled classes or other duties and responsibilities. Unpaid public service or lectures for fees are not included unless these activities require significant amounts of time or otherwise adversely affect the employee's performance of university duties. All consulting and other paid professional employment shall comply with \_\_\_\_\_ and UHS SAM 02.A.08.

Prior to entering into any consulting, investment, professional, or other arrangement that may involve a conflict of interest or commitment, a faculty or exempt employee must submit to the appropriate supervisor a complete written disclosure of the pending relationship and any potential conflicts that it may involve. The subsequent arrangements will then be subject to the approval of the appropriate Cabinet-level supervisor. When a question of propriety of the proposed employment or business relationship exists, the supervisor shall submit the application

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

to the Vice President for Academic Affairs and Provost (for faculty) or Vice President for Administration (for staff). These procedures apply to all regular faculty and exempt staff and to non-exempt staff with procurement or research responsibilities.

In accordance with Board of Regents Policy 57.05, any outside employment of the Chancellor, other officers of the System Administration, or the President or vice presidents of any component, including serving on the board of directors or governing board of any outside organization, shall be approved in advance by the Board of Regents.

- **Honoraria** - By state law, a university employee may not solicit, agree to accept, or accept an honorarium in consideration for services the employee would not have been asked to provide but for his or her official position; i.e. for providing services on behalf of the university. This prohibition includes a payment made to a third party if made in exchange of the employee's services. This restriction applies to any fee for any service provided in the employee's official capacity, but does not apply to food, transportation, and lodging in connection with the service provided.
- **Dual Employment** - A UHV employee may hold another non-elective state or federal office or position of honor, trust, or profit only with the prior approval of the President and the Board of Regents. Such approval must be based on formal findings that the dual office holding is of benefit to the state or is required by state or federal law and that the situation creates no conflict of interest or commitment. UHV is required to maintain records of any compensation, including per diem, associated with the second position.
- **Charitable or Professional Organizations/Pro Bono Work** - Any contribution of time without compensation to charitable or professional organizations or causes that may infringe upon the employee's regular work hours must be disclosed to the employee's supervisor and must not interfere with the individual's university responsibilities.
- **Use of University Equipment, Facilities, Support Staff, and Other Resources** - As a state employee, an employee is required to use university property for university purposes only, not for personal or private purposes. In situations where there is no direct cost to the university, such as use of university telephones to make non-toll calls, or use of computers for occasional internet use, such use is not considered a misapplication of state property and may be permitted within reason. Use of university equipment, facilities, or support staff for any activity other than the conduct of the employee's job responsibilities is permitted only if prior appropriate and equitable financial arrangements have been concluded between the individual and the University.
- **Use of University Name** - The name of the University of Houston-Victoria may in no case be used for advertising or procurement purposes by any individual or external organization for non-university purposes. Likewise, employees may not represent themselves as acting in the capacity of university employees when conducting consulting or personal activities. UHV bears no responsibility for any actual or implied obligations or liabilities incurred by an individual resulting from a consulting or other paid professional agreement or activity.

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

- **Governmental Appearances or Expert Witness Service** - University employees appearing before Congress or the Texas Legislature or their agencies, committees, or members to offer testimony, opinions, or commentary in regard to existing or potential laws, rules, or regulations, unless expressly authorized to do so by the Board or the Chancellor, must clearly state in advance that they are appearing in their individual capacities and that their testimony, opinions, and commentary are not authorized by and must not be construed as reflecting upon UHV's position.
- **Nepotism** - Relatives of university employees may not be employed in positions where the employee has the official authority to hire or recommend or approve the hiring, salary, or promotion of the relative, even if it results from marriage after the employment relationship was formed. The requirements of nepotism statutes may be found in \_\_\_\_\_ and UHS SAM 02.A.21.
- **Transfer of Research Results, Materials, Products, Records** - Board of Regents Policy 21.08 (<http://www.uhsa.uh.edu/regents/policy/asa.html>) requires that university faculty and staff disclose on a timely basis the creation or discovery of all potentially patentable inventions created or discovered in the course of their university activities or with use of university resources. Ownership of these inventions must be assigned to the university regardless of source of funding.
- **Travel** - Travel undertaken on official university business may be paid or reimbursed from university funds when arrangements comply with applicable University of Houston System SAMs 01.C.05, 03.A.03, 03.A.04, and 03.A.14.
- **Lobbying by State Employees, Political Campaigns, Holding Public Office, and Other Political activities** - The General Appropriations Act prohibits the use of state funds to influence the outcome of any election or any legislative measure. Likewise, this act restricts the use of any university funds to hire lobbyists and provides restrictions against offering gifts to legislators and accepting gifts from legislators. Similarly, federal restrictions prohibit the use of federal funds to influence federal legislation. The Vice Chancellor for Governmental Relations shall be responsible for the general coordination of University of Houston System governmental activities.
- **Political Campaigns** - No university employee may use his or her authority, influence, or time during university work hours to affect the result of any election or political campaign or to achieve any other political purpose. Likewise, university funds, equipment, or other resources may not be used to work on a political campaign. University employees may run for local elective office and serve as elected public officials so long as campaign activities are not conducted during official university hours and so long as the office does not involve a political party primary or a party affiliation. The employee must provide prior notification to his or her supervisor of the candidacy and election to office.
- **Reporting of Time and Effort; Maintenance of All Records** - It is a violation of law to falsify or alter the reporting of time worked, salary records, or any way revise university documents or records so as to provide an unearned benefit to the employee or another party.
- **Acceptance of gifts or other benefits** - A benefit is anything reasonably regarded by an independent observer as providing monetary gain or advantage. Benefits include, but are not limited to monetary gifts, meals, employment, travel, or items of significant gain or advantage with a value of \$50 or more. When the appropriateness

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

of a benefit is in question, it should not be accepted. An employee (or member of the employee's immediate family) may not solicit or accept any gift, favor, privilege, benefit, service, exemption, or thing of value that might influence the employee to perform his or her job differently. An employee should assume that anyone having business with the university as a client, contractor, or vendor is likely to be seen as attempting to curry favor if that person provides any gift or benefit to the employee.

The only gifts and benefits not subject to this restriction are those conferred on account of kinship or a personal or professional relationship independent of employee's status, non-cash items of less than \$50.00 in value, and those used solely to defray expenses accrued in the performance of official duties that are not reimbursable by the university.

- **Related Party Interests** - A related party interest is a business or personal relationship that exists between a university employee and an outside individual or organization that may influence the employee's actions or decisions due to considerations of private benefit - financial or otherwise - and/or may create or be perceived as creating a conflict of interest. There is a distinction between a related-party interest and a conflict of interest. A related-party interest is a question of fact and results when an individual is in a position to personally benefit from transactions entered into by the University.

However, whether the transaction or relationship creates a conflict of interest requires a subjective evaluation of the facts and circumstances. All faculty and staff in a position to originate purchase requests or influence purchasing decisions must annually complete a disclosure statement.

- **Conflicts of Interest** - No employee shall use their employment to obtain unauthorized privileges, benefits, or things of value for oneself or others. Employees are required to take the initiative to disclose and request prior approval of their supervisor before entering into any activity or situation that may involve, or appear to involve, a conflict of interest or other potentially incompatible obligation. Such a relationship includes consulting or other outside employment, a relationship defined as a related-party interest, or any other relationship that results in a gift or other benefit to the employee.

Although the University of Houston System depends upon the integrity and discretion of its staff with respect to actual or apparent conflict of interest, all University of Houston System employees are subject to the prohibitions of state law and applicable federal guidelines. Guidelines to avoid conflict of interest include the following:

- No employee shall solicit, accept, or agree to accept any privilege, benefit or thing of value for the exercise of his or her discretion, influence or powers as an employee except as allowed by law.
- No employee shall accept any privilege, benefit or thing of value that might influence him her in the discharge his duties as an employee.
- No employee shall use his or her position to secure special privileges or exemptions for himself or herself or others, except as is allowed by law.

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

- Any employee who is an officer, agent, employee or member of, or owns a significant interest in any entity doing business with any component of the University of Houston System must disclose such relationship in writing to his or her immediate superior.
- No employee shall accept employment or engage in any business or professional activity which foreseeably might require or induce him or her to disclose confidential information acquired by reason of his/her university position.
- No employee shall disclose confidential information gained by reason of his or her university position nor shall he or she otherwise use such information for his or her personal gain or benefit.
- No employee shall transact any business for the university with any entity of which he or she is an officer, agent, employee, or member, or in which he or she owns a significant interest.
- No employee shall make personal investments in any enterprise which foreseeably might create a substantial conflict between his or her private interests and the university's interests.
- No employee shall accept other employment which might impair his or her independence or judgment in the performance of his or her university duties.
- No employee shall receive any compensation for his or her services from any source other than the State of Texas except as allowed by law.
- No employee who exercises discretion in connection with contracts, purchases, payments, claims or other pecuniary transactions shall solicit, accept or agree to accept any benefit from a person or entity the employee knows, or should know, is or is likely to become financially interested in such transactions.

University employees are required and expected to take the initiative to disclose and request prior approval of their supervisor before entering into any activity or situation that may involve, or appear to involve, a conflict of interest or other potentially incompatible obligation. Such a relationship includes consulting or other outside employment, a relationship defined as a related-party interest, or any other relationship that results in a gift or other benefits to the employee.

### **Evaluating and Resolving Violations of Standards**

University employees are asked to report in good faith violations of this policy or any law, regulation or other occurrence of institutional noncompliance, whenever observed or suspected. Reports may be made to either the employee's immediate supervisor, the HR/AA Director, the campus assigned Institutional Compliance Officer (Director of Business Services) or confidentially to the telephone number provided on the University's Institutional Compliance website. Violations involving sponsored project agreements should be directed to the Provost and Vice President for Academic Affairs and handled in accordance with applicable policy.

Confidentiality of the information and employee(s) involved is of utmost importance to insure proper adjudication of the allegations. Federal and state laws prohibit university officials from retaliating against employees who report violations in good faith. In addition, the university is committed to maintaining the confidentiality and anonymity of all individuals who make such reports to the extent allowed by law.

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

All reports received will be reviewed immediately to determine whether an investigation is warranted. Every attempt will be made to resolve internal violations at the lowest level of administrative review. However, after a determination of the seriousness of the violation has been made, other administrators may also become involved. When criminal activity is suspect, appropriate civil authorities may become involved. When the investigation involves the Internal Auditing Department, the Office of General Counsel, or the UHS Institutional Compliance Officer, the appropriate campus Vice President will be notified as well as the Director, Human Resources/Affirmative Action.

Based upon the findings, appropriate action will be taken to remedy the situation.

Supervisors may contact the Director, Human Resources/Affirmative Action or the campus Institutional Compliance Officer (Director of Business Services) at any time for guidance and assistance in resolving standards of conduct violations. Also, employees may call the State of Texas Ethics Commission (512.463.5800) for guidance.

### **Sanctions for Violations of Employee Standards of Conduct**

Standard of Conduct violations, depending upon the severity, may subject the employee to disciplinary action up to and including dismissal, as well as to the possibility of criminal charges and prosecution.

### **SUMMARY OF DISCLOSURE AND REPORTING REQUIREMENTS**

1. In accordance with Board of Regents Policy 57.01.3, copies of the laws and Board of Regents Policies listed below are to be distributed to an employee by the Human Resources Office upon initial employment and annually by the University of Houston System Board of Regents' office.
  - Statutory Standards of Conduct for State Employees, Â§ 572.051, Texas Government Code
  - General Appropriations Act Article IX, Â§ 5. Political Aid, Legislative Influence
  - Board of Regents Policies:
    - Consulting and Paid Professional Service (57.02)
    - Dual Employment (57.04)
    - Nepotism (57.07)
    - Conflicts of Interest (57.08)
    - Academic Freedom (21.03) (<http://www.uhsa.uh.edu/regents/policy/asa.html>)
    - Governmental Appearances (81.01) (<http://www.uhsa.uh.edu/regents/policy/external.html>)
    - Sexual Harassment (29.02) (<http://www.uhsa.uh.edu/regents/policy/asa.html#A4>)
2. UHS Policy Distribution - In accordance with UHS Administrative Memorandum 02.A.29, Ethical Conduct of Employees, copies of this policy are to be distributed to all university employees annually. The annual distribution may be by e-mail.

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

3. UHV Policy Distribution - Copies of university policy C-8, Employee Standards of Conduct, are to be distributed upon initial employment and then electronically, annually to all employees.
4. Faculty Consulting or Outside Paid Professional Activity Disclosure - In accordance with \_\_\_\_\_, Faculty who wish to arrange consulting or other paid professional activities must provide prior written notification and receive written approval from their dean. Review by their dean of such activities will include consideration of any real or apparent conflict of interest and the benefit of the proposed service to the system and the component university.
5. Exempt Staff Consulting or Paid Professional Activity Personal Disclosure - In accordance with \_\_\_\_\_, professional or administrative staff who wish to arrange consulting or other paid professional activities must obtain prior written approval from the appropriate supervisor. While consulting is a recognized aspect of faculty activities with the limitations noted in this document, consulting by professional or administrative staff must be justified on an individual basis by clear and direct benefit to the system.
6. Institutional Reporting of Outside Consulting, Employment or Expert Witness Services - Annually, during the first quarter, faculty and exempt professional staff will be surveyed by the Provost's Office for any consulting, outside employment, or expert witness activities. The information will be forwarded to the appropriate state office with an information copy to the UHS General Counsel's office.
7. Employee Reporting of Violations of Ethical Standards - University employees are asked to report violations of this policy or any law, regulation or other occurrence of institutional noncompliance, whenever observed, to one of the following: the employee's immediate supervisor, the HR/AA Director, the Institutional Compliance Officer or anonymously to the telephone number provided on the University's Institutional Compliance website.
8. Employee Disclosure and Annual Reporting of Related Party Interests - Annually, within the first quarter, the Department of Business Services will obtain signed disclosure statements from all faculty and staff in a position to originate purchase requests or influence purchasing decisions of any possible conflict of interest situations. Information is reported in accordance with UHS Administrative Memorandum 02.A.29. Disclosures are required from any employee who
  - has previously disclosed a related party interest, or
  - will serve in a supervisory capacity at a department level or higher in the coming fiscal year, or
  - is in a position to make final purchasing decisions. (this category includes all delegated departmental purchasers and ProCard users), or
  - has signature authority on any university cost center, or
  - can personally benefit from a relationship or business transaction.

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

9. Financial Statement Report - In accordance with UHS Administrative Memorandum, 02.A.29, Section 5.2, the President is required to submit an annual financial statement with the Texas Ethics Commission using forms prescribed by the Commission.
10. Procurement Disclosure Report - In accordance with UHS Administrative Memorandum 02.A.29, Section 5.2, certain employees, including vice presidents, employees at the director level or higher, employees who are over procurement and contracting functions, and those others considered by the campus to have high-level procurement responsibilities shall file with the chief financial officer of each component a report disclosing the following information:
  - The amount of any compensation received for services related to these associations; and
  - Known information regarding whether any of the organizations cited have any relationship to the University of Houston System and a description of the relationship.

### REFERENCES

1. Board of Regents Policy 57.01, Code of Ethics ([www.uhsa.uh.edu/regents/policy/af.html](http://www.uhsa.uh.edu/regents/policy/af.html))
2. UH System Administrative Memo 02.A.29, Ethical Conduct of Employees ([www.uh.edu/sam/2HumanResources/2A29.pdf](http://www.uh.edu/sam/2HumanResources/2A29.pdf))
3. Texas Ethics Commission's Guide to Ethics Laws for State Employees ([www.ethics.state.tx.us/pamphlet/G08o&e.htm](http://www.ethics.state.tx.us/pamphlet/G08o&e.htm))
4. University Policy C-6, Nepotism ([www.uhv.edu/fin/policy/C/c-6.htm](http://www.uhv.edu/fin/policy/C/c-6.htm))
5. Texas Government Code, Section 572.051, Standards of Conduct (<http://www.ethics.state.tx.us/statutes/07ch572.htm#572.051>)

Approved by:

Signature Obtained 10/16/2009

Tim Hudson, Ph.D. Date  
President

Originating Department: Business Services  
Next Review Date: February 2011

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Financial Aid Conflict of Interest Certification

Can be found on UHV Compliance Website under Standards of Conduct at  
[www.uhv.edu/compliance/pdf/FY2009/Financial\\_Aid\\_Conflict\\_of\\_Interest.pdf](http://www.uhv.edu/compliance/pdf/FY2009/Financial_Aid_Conflict_of_Interest.pdf)

### **Financial Aid Employee Standards of Conduct and Conflict of Interest Certification**

**Instructions:** *All Financial Aid (FA) employees are to complete this certification, which supplements University Policy C-8, Employee Standards of Conduct, annually by August 31st. New FA employees are to complete within 30 days of employment.*



## UNIVERSITY OF HOUSTON VICTORIA POLICIES

**Distribution:** *Original to employee's personnel file. Copy to employee. Copy to Financial Aid Director.*

As a University of Houston-Victoria (UHV) financial aid employee, I am expected to always maintain exemplary standards of professional conduct in all aspects of carrying out my responsibilities, specifically including all dealings with any entities involved in any manner in student financial aid, regardless of whether such entities are involved in a government sponsored, subsidized, or regulated activity. In doing so, I understand I will:

1. Refrain from taking any action for personal benefit.
2. Refrain from taking any action I believe is contrary to law, regulation, or the best interests of the students and parents I serve.
3. Ensure that the information I provide is accurate, unbiased, and does not reflect any preference arising from actual or potential personal gain.
4. Be objective in making decisions and advising the Financial Aid Director regarding relationships with any entity involved in any aspect of student financial aid.
5. Refrain from soliciting or accepting anything of other than nominal value, (retail value of not more than \$10) from any entity, other than an institution of higher education or a governmental entity such as the U.S. Dept of Education, involved in the making, holding, consolidating or processing of any student loans, including anything of value (including reimbursement of expenses) for serving on an advisory body or as part of a training activity of or sponsored by any such entity.
6. Avoid all actual or perceived conflicts of interest, promptly disclosing to the university, in such manner as UHV prescribes, any involvement with or interest in any entity, including any family members attending UHV, UHSCR, or UHSSL involved in any aspect of student financial aid.

I further understand that:

1. I cannot award and disburse the same transaction.
2. I cannot participate in the selection, award, or administration of any scholarship, grant or loan award supported or funded by Federal, State or University funds if a real or apparent conflict of interest exists. I understand that a conflict of interest arises when I, my immediate family, partner, or other organization which employs or is about to employ any of these parties, has a financial or other interest in my decision.
3. I cannot manipulate the dates of award of any scholarship, grant or loan that may be perceived as favorable to myself or any family member.

### **Acknowledgement and Certification:**

I understand my responsibilities as stated above and that I have a responsibility to promptly report any real or apparent conflict of interest, violations of laws or regulations, fraud, theft or other irregularities to the Director of Financial Aid.

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

To my knowledge, there are no actual or potential conflicts of interest where an independent observer might reasonably question my actions or decisions were determined or motivated by considerations of personal gain. I further understand that I may be subject to civil fines and disciplinary action up to and including termination and/or prosecution in the event of intentional fraud or other serious violation of these standards.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Financial Aid Director Signature

\_\_\_\_\_  
Printed Name

### Notes:

1. Family is defined as the employee's spouse, the employee's or the spouse's natural and adopted children, grandchildren, and great-grandchildren; parents, grandparents, and great-grandparents; brothers, sisters, half brothers, and half sisters; aunts, uncles, nieces, nephews, first cousins, and second cousins; and persons married to them

---

E-7 Related Party  
[www.uhv.edu/fin/policy/e/e-7.aspx](http://www.uhv.edu/fin/policy/e/e-7.aspx)

**SECTION: PURCHASING INDEX: E-7**

**SUBJECT: RELATED PARTY DISCLOSURES**

### POLICY

Employees of the University of Houston-Victoria shall avoid using their positions for purposes that are, or give the appearance of being, motivated by a desire for private gain for themselves or others, such as those with whom they have family, business, or other ties. University employees shall exercise the utmost good faith in all transactions, activities, and behaviors related to their duties to the UH System, its property, and resources. Faculty and staff in a position to personally benefit from a transaction entered into by the University of Houston-Victoria or other UHS components shall annually complete a disclosure statement regarding related party interests as required by UHS Administrative Memorandum 03.A.17.

### DEFINITION

*Conflict of Interest:* A situation in which there is a divergence between the employee's private interests and professional obligations to the University, such that an independent observer might reasonably question whether the employee's actions or decisions are determined by considerations of private gain, whether financial or otherwise, to the University's detriment.

## UNIVERSITY OF HOUSTON VICTORIA POLICIES

Such a situation may result from consulting or other outside employment, a relationship defined as a related-party interest, or any other relationship that results in a gift or benefit to the employee.

*Related Party Interest:* A question of fact that results when an individual is in a position to personally benefit from transactions entered into by the University of Houston-Victoria or other System component. Transactions may include, but are not limited to (1) originating purchase requests, influencing purchasing decisions and/or consulting or professional relationships that are created or perceived as creating a conflict of interest.

### PROCEDURE

The Related Party Disclosure will be completed annually online as part of UH System mandatory training and reporting process. In the event that online reporting is unavailable, Business Services will coordinate the reporting process using the Related Party Disclosure Form (Attachment A).

Related Party Disclosures are to be completed by all faculty and staff employees within any of the following categories:

- (a) employees who have previously disclosed a related party interest;
- (b) employees who serve in a supervisory capacity at a department level or higher;
- (c) employees in a position to make final purchasing decisions. *This category includes all delegated departmental purchasers and ProCard users;*
- (d) employees having signature authority on any university cost center;
- (e) employees who could personally benefit from a relationship or business transaction.

The Business Services Department will initially review disclosure information and notify the Dean or Department head, appropriate Vice President and the President of those employees who may have a related party interest. The Dean or Department head shall inform any faculty or staff member whose outside activity is believed to represent a conflict of interest. Remedial action will be suggested when indicated. Disclosures which indicate potential conflicts of interest will also be forwarded to the UH System Chancellor.

Deans and department heads should, at least annually, discuss related party interests and potential conflict of interest with their employees. Employees are instructed to report in writing to their Dean or Department Head all facts about any activity or transaction and the potential conflicts of interest that may be involved before any such activity or transaction occurs.

Any purchase requisition, delegated departmental order form or ProCard that can be identified as a related party transaction must include the following information and be authorized by the Dean or Department Head, *"This is a Related Party Transaction. Reason for this purchase: \_\_\_\_\_"*

### REFERENCES

**UNIVERSITY OF HOUSTON VICTORIA POLICIES**

UHS Administrative Memorandum, 03.A.17

Approved:

Tim Hudson, Ph.D.                      Date

President

Originating Department: Business Services Department

Next Review Date: November 2011

UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS AGENDA

COMMITTEE:

ITEM: Presentation of High Impact Educational Experiences at the University of Houston-Downtown

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

President William Flores will describe the University of Houston-Downtown's commitment to high-impact educational experiences and their inherent value. Examples of high-impact educational experiences include first-year seminars, common intellectual experiences, learning communities, undergraduate research, and service learning. Interim Provost, Michael Dressman, will then provide several examples of students and faculty working collaboratively. Finally, Enrique Tamez, a current UH-Downtown student, will offer a brief concluding statement about his involvement in high-impact educational experiences and its impact on his education

SUPPORTING DOCUMENTATION: Powerpoint Presentation

FISCAL NOTE: Not applicable

RECOMMENDATION/  
ACTION REQUESTED: Information

COMPONENT: University of Houston-Downtown

PRESIDENT

*William Flores by Edna J. [Signature]*

William Flores

DATE

*11/3/10*

SENIOR VICE CHANCELLOR

John Antel

DATE

*11/2/10*

CHANCELLOR

*Renu Khator*

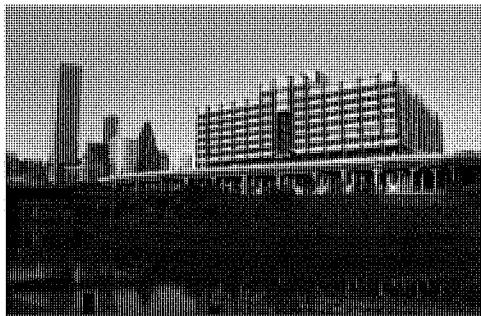
Renu Khator

DATE

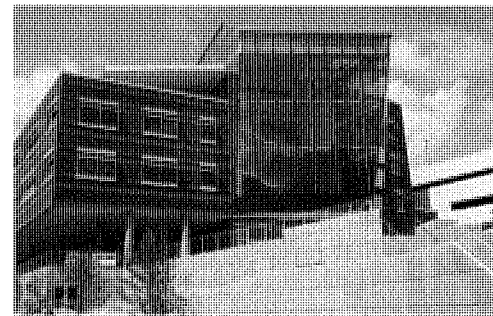
*11-3-10*

# High-Impact Educational Experiences at UHD

Academic Presentation  
UH System Board of Regents Nov. 17, 2010



**UHD**  
University of Houston  
DOWNTOWN





UHD-Polish geological research in west Texas





UHD-Polish geological research in southern Poland.



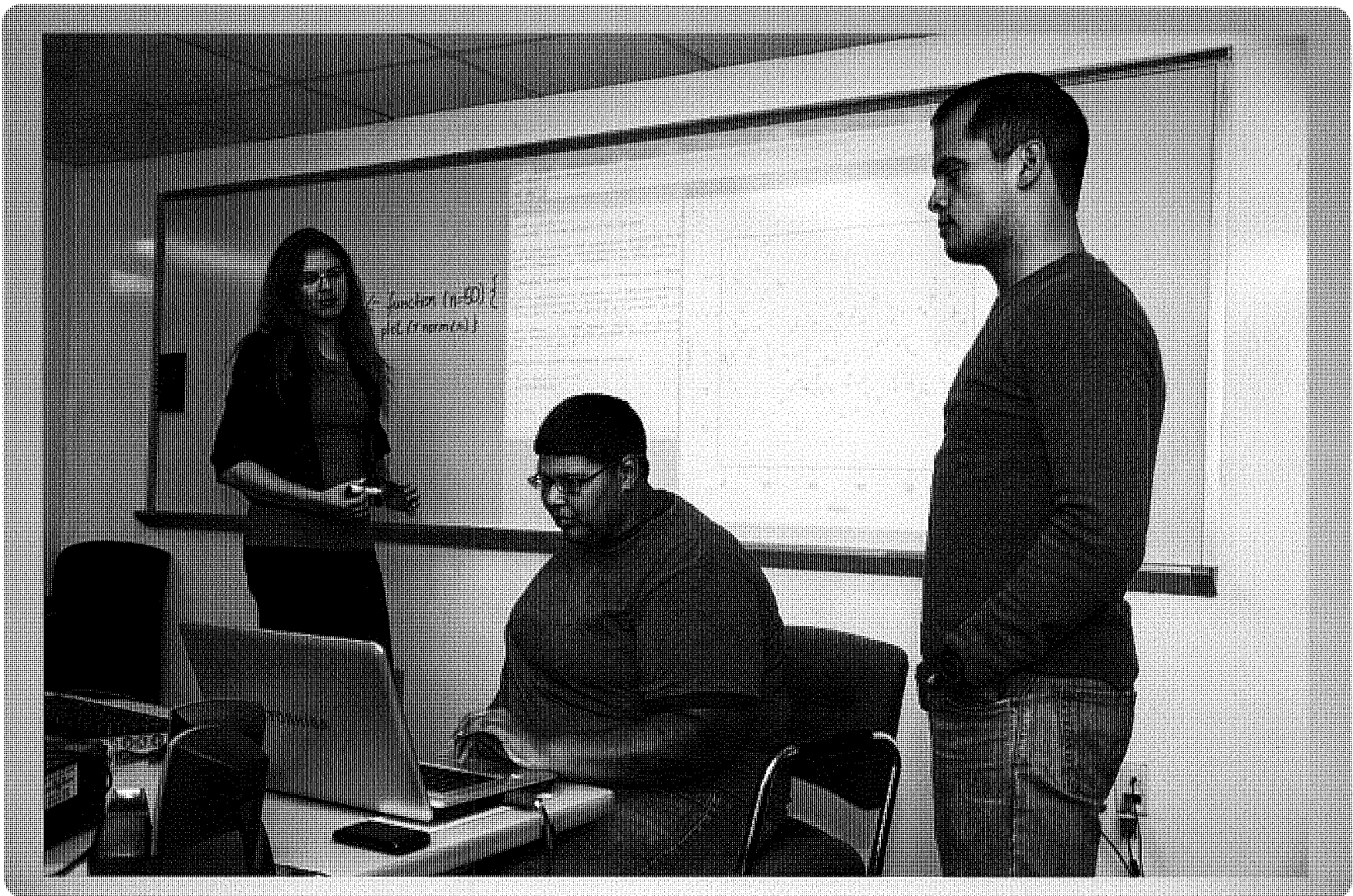


UHD students teaching homeless children in Houston.

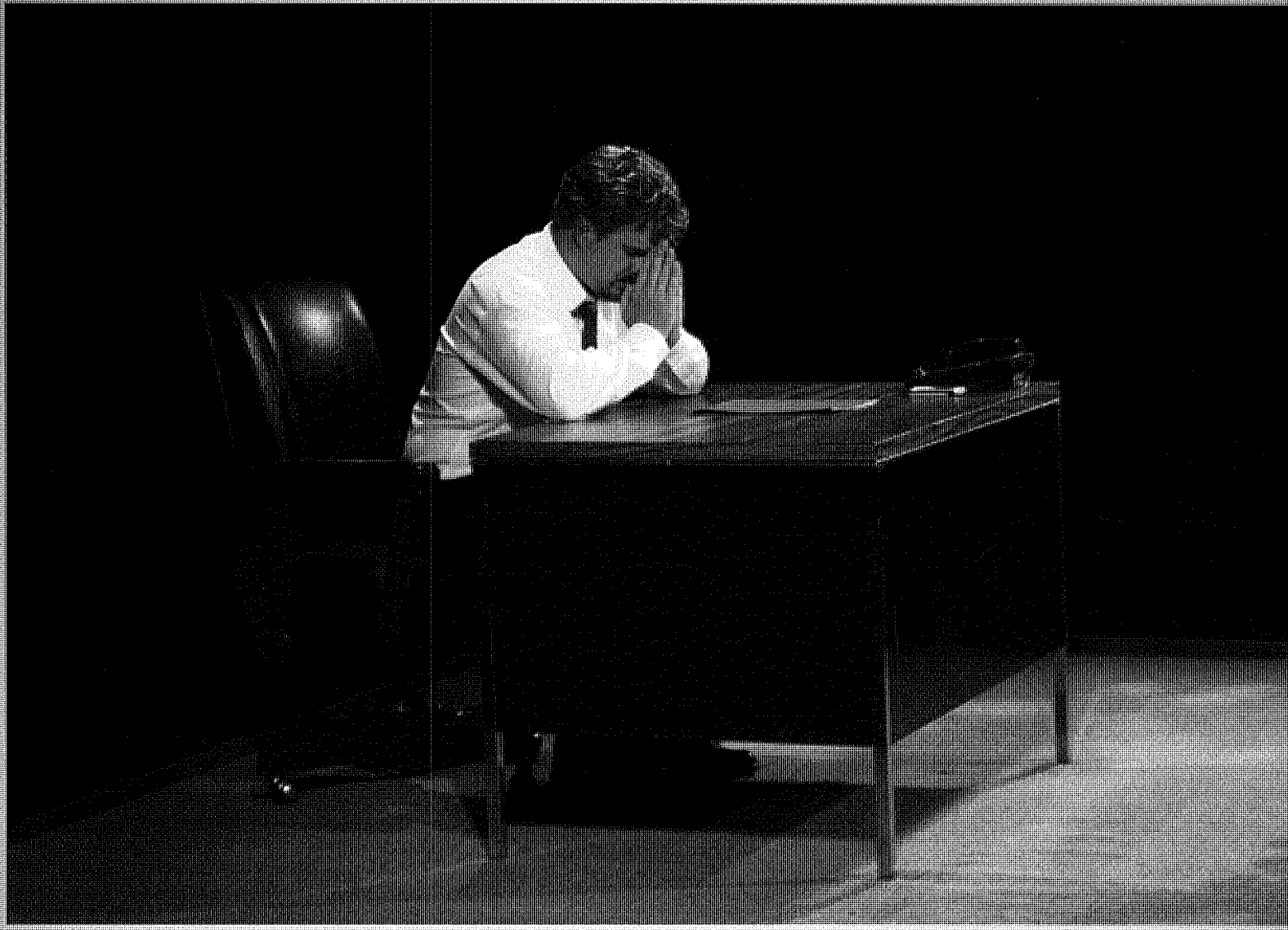


UHD students at Houston's House of Tiny Treasures.





Students use statistics for Homeland Security grant.



Student-directed one-act play under faculty guidance.



UHD's 1<sup>st</sup> Freshman Convocation – Fall 2010.





UHD faculty lead study-abroad trip.



UHD students take part in international Coca-Cola research.



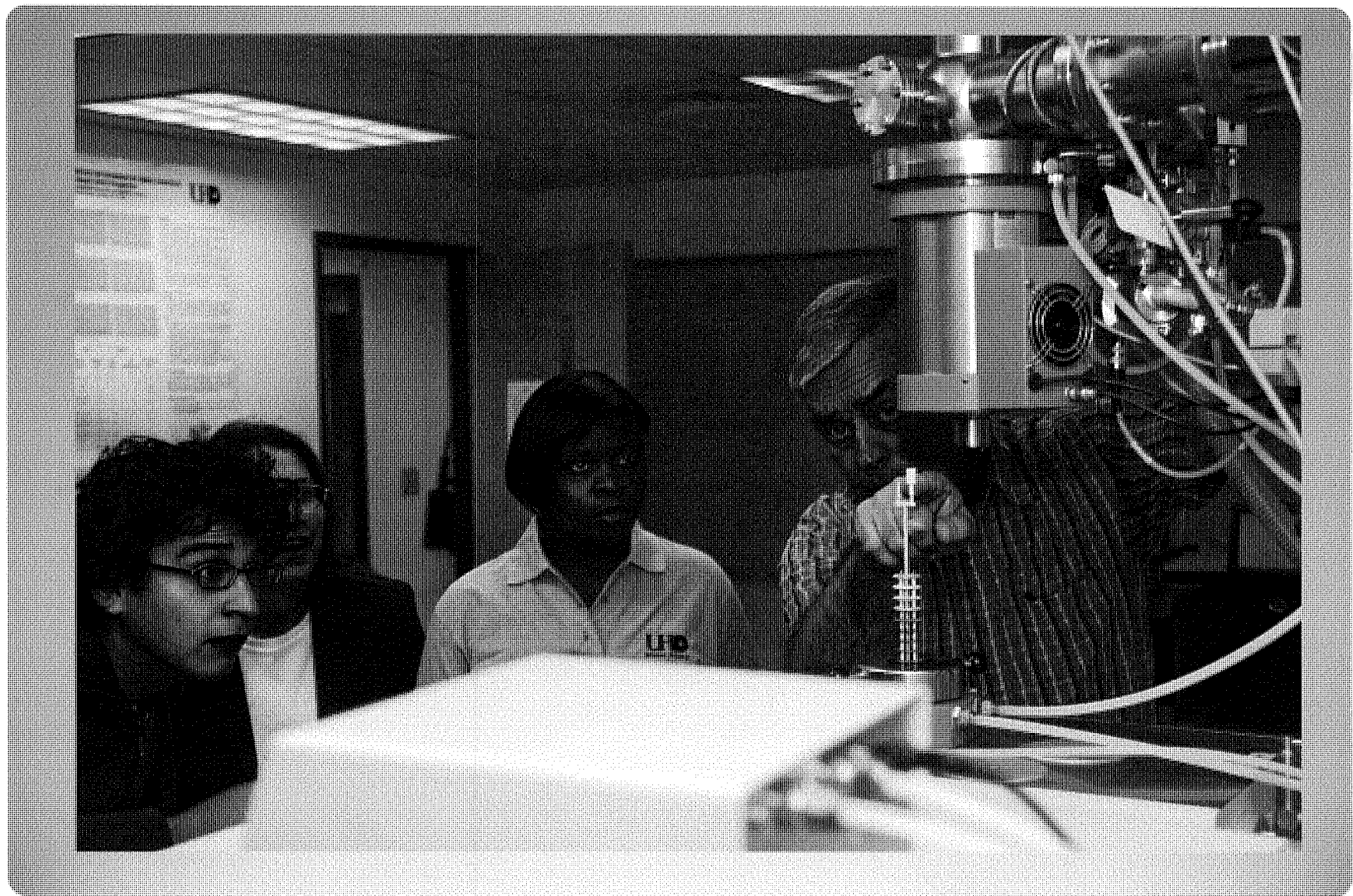


UHD business students tour Port of Houston.



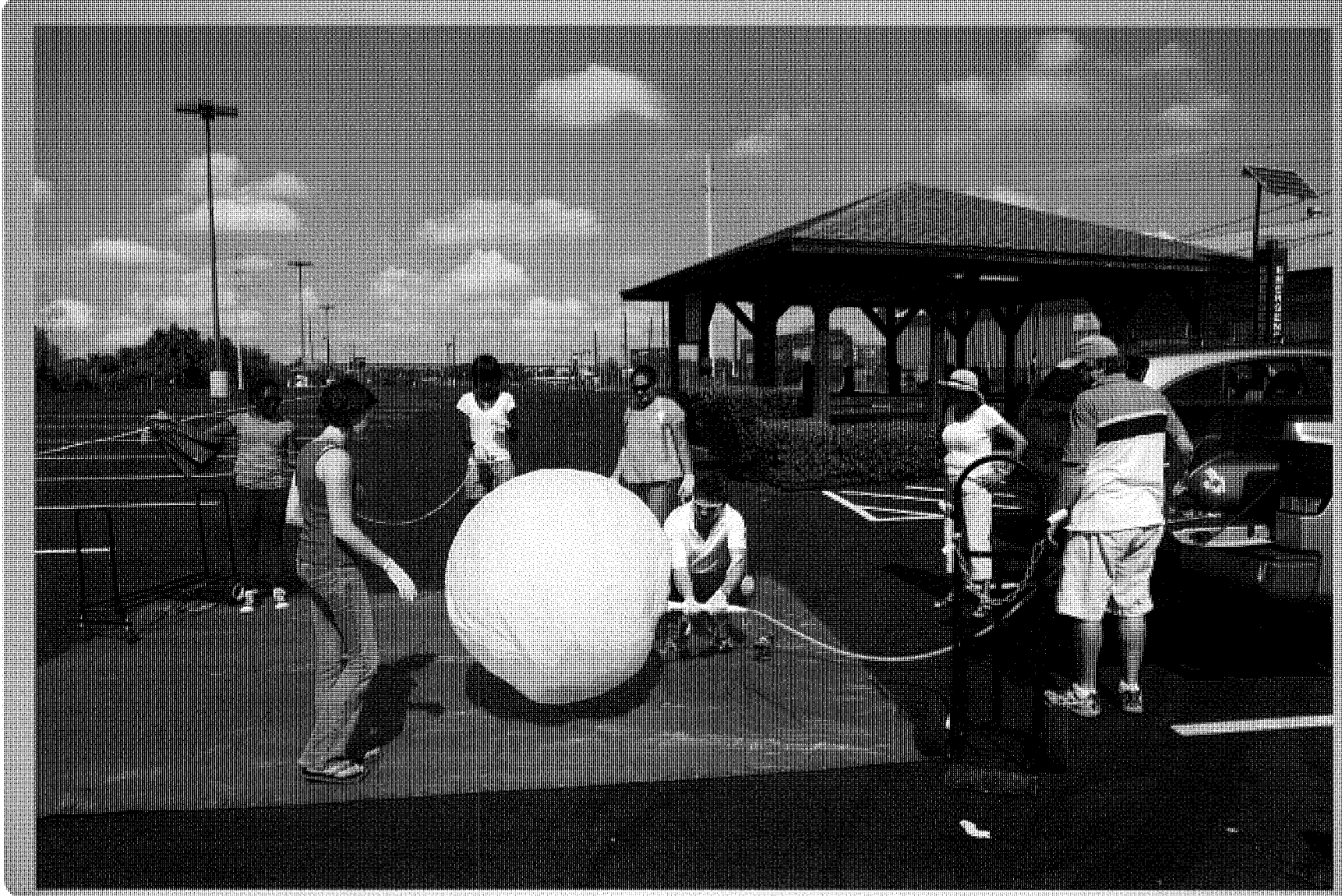


UHD graduate continues education in Medical Center.



UHD faculty & students work with mass spectrometer.



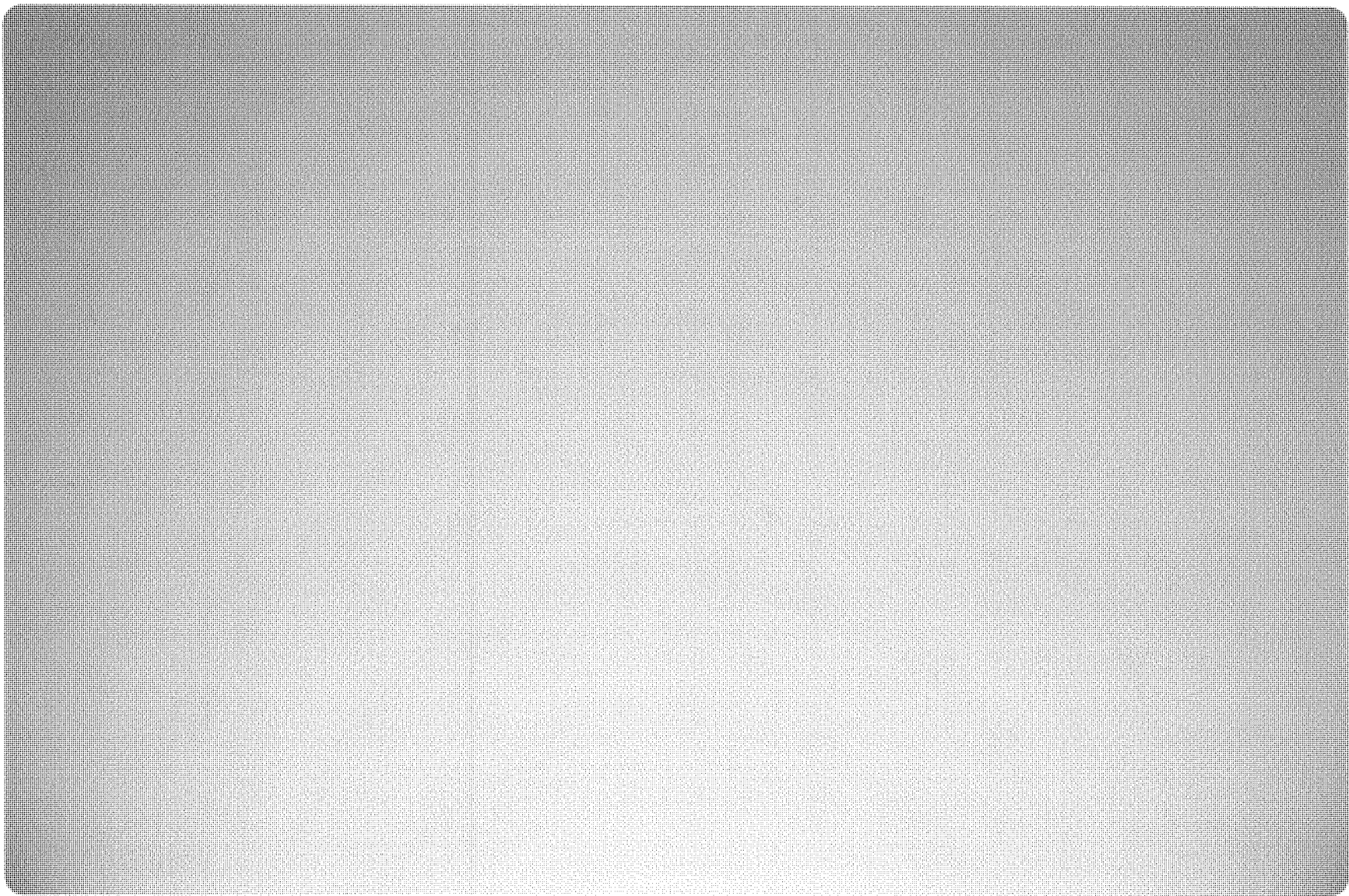


UHD faculty introduce students to ozone research.



Students learn academic presentation skills on campus.





Enrique Tamez - a student tutor in UHD's writing center.

UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS AGENDA

COMMITTEE:

ITEM: Annual Report on Intercollegiate Athletics

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

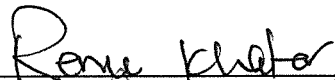
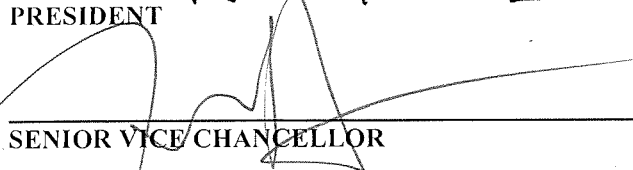
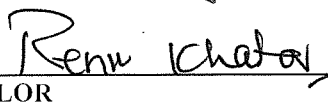
Board of Regents Policy 22.01 requires that the Board receive an annual report on intercollegiate athletics. Mr. Mack Rhoades, Athletics Director, will present this report to the Board.

SUPPORTING DOCUMENTATION: Annual report on intercollegiate athletics

FISCAL NOTE: NA

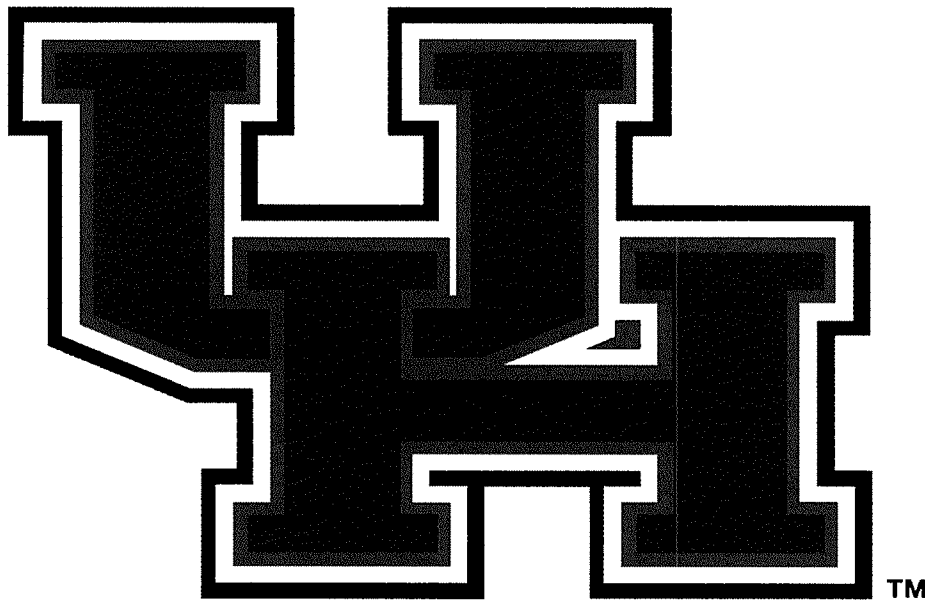
RECOMMENDATION/  
ACTION REQUESTED: Information

COMPONENT: University of Houston

	_____	_____
PRESIDENT	Renu Khator	11-3-10 DATE
	_____	_____
SENIOR VICE CHANCELLOR	John Antel	11/2/10 DATE
	_____	_____
CHANCELLOR	Renu Khator	11-3-10 DATE

UNIVERSITY of **HOUSTON**

University of Houston  
Board of Regents



UH Athletics  
Annual Report  
November 2010

DEPARTMENT OF INTERCOLLEGIATE ATHLETICS  
**BUILDING CHAMPIONS FOR LIFE**

## Presentation Outline

- I. Creating a Vision for UH Athletics
- II. Critical Goals (Two-Year) – Short and Long Term
- III. Shaping the Future of Athletics – Strategic Initiatives
- IV. 2009-10 Areas of Focus
- V. University Exposure



## I. Creating a Vision for the Future of UH Athletics

- Tradition
- Experience
- Compliance

## Tradition

- Develop and maintain winning sports programs with strong fan support.
- **Provide each coach and sports program with the guidance, facilities and resources to build and maintain a winning program in the conference.**
- Provide fans with a quality entertainment value.
- **Strive for all sports programs to finish in the Top 3 of Conference USA (CUSA).**
- The following sports programs should compete at a national level – Top 25.

**Baseball**

**Men's Basketball**

**Women's Basketball**

**Football**

**Men's Golf**

**Men's and Women's Indoor and Outdoor Track and Field**

## Student-Athlete Experience

- Provide each student-athlete a quality educational, social and athletic experience ending with the award of an undergraduate degree. *Building Champions for Life!*
- The *Cougar Leadership Development Program* brings student-athletes together regularly beginning their freshmen year through graduation to learn skills that will promote their own well-being, academic potential, leadership ability and sense of responsibility to their community.

With the comprehensive scope and intensive depth of the proposed programming, the Program unequivocally distinguishes UH Athletics as having one of the best leadership development programs in intercollegiate athletics – **and the first program in CUSA**. Not only does this innovative Leadership program maintain and enhance UH Athletics' reputation nationally and internationally, it provides the department with a distinct and powerful advantage in attracting and retaining highly talented student-athletes and coaches.

## Student-Athlete Experience

### *continued...Cougar Leadership Development Program:*

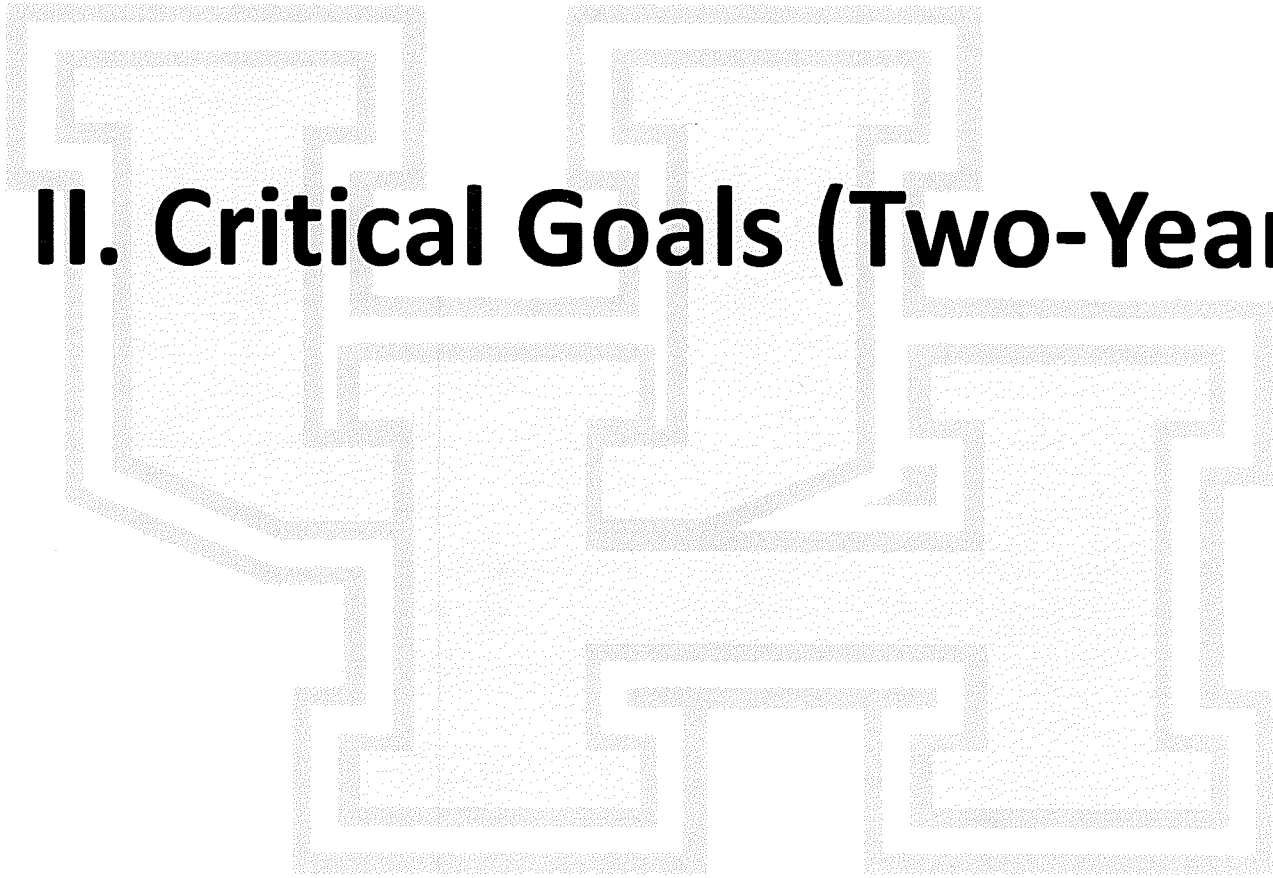
Because effective leadership plays such a critical role in the overall success of an athletic department, we expect the program to produce a high return on investment. Anticipated benefits of the programming include but are not limited to:

- Provides coaches with reliable, responsible and respected student-athlete leaders.
- Provides student-athletes with highly marketable leadership skills for their careers.
- Eases the transition of freshmen and transfer student-athletes into the UH Athletics Family.
- Preserves and enhances the community and national reputation of the department.
- **Maintains and enhances the competitive success of UH Athletics.**
- **Maintains and enhances student-athlete academic performance and graduation rates.**
- **Strengthens alumni relations and possible contributions to the program and/or department.**

## Compliance

- Create a culture of commitment to compliance within all areas of UH Athletics operations.
- To ensure UH Athletics is in strict adherence with NCAA, OCR, Conference, University and State of Texas rules and regulations through established departmental practices.

## II. Critical Goals (Two-Year)



## II. Critical Goals - Short Term

### External Operations

- Communications – see 2010-11 Unit Goals
- Development (for additional goals please see 2010-11 Unit Goals)
  - Development and implementation of a strategic plan that provides a framework and direction for growth in the athletics scholarship fund (*Cougar Pride*), restricted sport specific donations (“Friends of”), major and capital gifts. **In-progress...just recently hired Associate Athletics Director for Development.**
  - Develop Capital Campaign (and associated giving societies) for all facility renovations and/or projects. **In-progress...final draft pending. Naming opportunities and values have been finalized for both the stadium and arena projects.**
  - Increase Cougar Pride (CP) membership and gift (amount) per person average. **In progress...please refer to most recent total CP revenue.**
    - **2008-09 – \$2.2 million total {CP; Hall of Honor (every other year) - \$150,000; and other restricted gifts}**
    - **2009-10 – \$3.2 million total (\$2.3 – CP only)**
  - Establish sport specific fundraising organizations for football, men’s basketball, women’s basketball and golf. Expand to other sports programs thereafter. **Implemented.**

## II. Critical Goals - Short Term

### External Operations

- **Cougar Sports Network (ISP)**
  - Review and renegotiate new contract. Current contract rights fee is too low and corresponding threshold is too high. Must increase the rights fee. **Pending...waiting draft contract addendum...average annual rights fee to increase from \$352,273 to more than \$1.15 million.**
  - Develop new advertising inventory for football, men's basketball, women's basketball and baseball. **In progress.**



## II. Critical Goals - Short Term

### External Operations

- Marketing, Promotions and Sales  
(for additional goals please see 2010-11 Unit Goals)
  - Establish comprehensive revenue goals for season ticket sales for football, men’s basketball, women’s basketball and baseball. **Implemented...see most recent revenue accomplishments.**
  - Establish comprehensive revenue goals for single-game ticket sales for football, men’s basketball, women’s basketball and baseball. **Implemented...see most recent accomplishments.**
  - Create and implement comprehensive “grass-roots” season ticket sales campaign for football and men’s basketball. **Implemented...created First Annual Seat ‘Em Up Ticket Drive with 190 volunteers. Goal for 2010 paid football season tickets was 10,000. SOLD 11,477...2009 PAID AMOUNT WAS 6,310. THE 82% INCREASE WAS THE LARGEST IN THE NATION. Likewise, created Corporate Champions program.**
  - Create and implement comprehensive marketing plans for all appropriate (i.e., multiple home contests) sports programs. **In-progress...completed marketing plans for Fall sports programs: Football, Women’s Soccer and Volleyball...hired new Assistant Athletics Director of Marketing and Promotions approximately three months ago. Completed marketing plans for Winter sports programs: Men’s Basketball and Women’s Basketball.**
  - Develop “key moment” marketing strategy in the event football and/or men’s basketball experience a significant win. **Implemented...in place following the Oklahoma State and Texas Tech football victories (2009). In place for 2010.**

## II. Critical Goals - Short Term

### External Operations

#### *continued...Marketing, Promotions and Sales:*

- Increase the following Ticket Revenue: Football (Season); Football (Individual Game); Men's Basketball (Season); Men's Basketball (Individual Game); and Other (WBB, WS, VB, SB – season and individual) Ticket Revenue (2010-11 goals are listed under Ticket Sales and Service Unit).
  - 2008-09 FY Football Season – \$877,040
  - 2009-10 FY Football Season – \$1,283,422
  - 2010-11 FY Football Season – \$1,859,741 (projecting near \$2 million)
  - 2008-09 FY Football Individual – \$476,184
  - 2009-10 FY Football Individual – \$1,498,786
  - 2010-11 FY Football Individual – \$707,987 (as of October 25, 2010 – projecting \$1.125 million)
  - 2008-09 FY MBB Season – \$233,775
  - 2009-10 FY MBB Season – \$208,865 (coaching change followed end of season)
  - 2008-09 FY MBB Individual – \$92,250
  - 2009-10 FY MBB Individual – \$93,904
  - 2008-09 FY Other – \$115,039
  - 2009-10 FY Other – \$372,835 (includes approximately \$100,000 for CUSA Baseball Tournament and CUSA Indoor Track and Field Meet)

## II. Critical Goals - Short Term

### External Operations

- Merchandise and Licensing (for additional goals please see 2010-11 Unit Goals)
  - Review current contract with the Collegiate Licensing Company (CLC) and determine whether UH Athletics should extend contract or solicit (via RFP) other potential vendors {Licensing Resource Group (LRG)}. The current contract expires July 31, 2010. **Implemented...secured LRG as new licensing vendor (3-year base contract with 2 one-year options to renew) through RFP process. LRG will provide better customer service and develop better relationships and consistency with retail partners. LRG also provided more favorable royalty compensation (\$260,000 – 2009-10).**
  - Increase merchandise sales for the 2009-10 fiscal year. Per a comprehensive report just completed, *Cougar Authentic* is losing approximately \$100,000 per year.
  - Create a strategic plan for *Cougar Authentic* and/or analyze the potential for outsourcing operations (i.e., Barnes and Noble). **Implemented...outsourced to Barnes and Noble (2-year base contract with 3 one-year options to renew). Currently completing contest for new name for store.**
  - Define primary and secondary marks as well as establish primary and accent colors. Primary colors should be scarlet red and albino white. Potential accent colors may change to grey/metallic silver in place of blue and/or black. UH Athletics to work with University Communications. **Implemented per revised licensing logo sheets with CLC...in process of implementing the same with LRG. Likewise, more emphasis placed on UH than the *Cougar Head* (i.e., uniforms, signage, retail apparel).**
  - Establish additional retail outlets for UH Athletics apparel...develop a retail partnership program. **In-progress.**

## II. Critical Goals - Short Term

### External Operations

- Ticket Operations

(for additional goals please see 2010-11 Unit Goals)

- Analyze all ticket operations and re-structure and/or potentially outsource or partner operations with ISP or other firm (i.e., Georgia Tech).

**Implemented...established Ticket Sales and Service Unit...divided into two major areas of concentration**

- **Sales and Operations (i.e., customer service – processing/fulfillment).**

- Video Operations

(for additional goals please see 2010-11 Unit Goals)

## II. Critical Goals - Short Term

### Student-Athlete Services

- Student-Athlete Development – Academic Services (for additional goals please see 2010-11 Unit Goals)
  - Create, implement and/or review Department of Intercollegiate Athletics Student-Athlete Admissions Review Policy (ACT/SAT Test Score and GPA, National Letter of Intent, Offer of Financial Aid Policy) prior to the 2011-12 academic year. **Pending – see 2010-11 strategic initiative.**
    - Create and implement a comprehensive academic success and award recognition program. **Pending – see 2010-11 strategic initiative.**
    - Create a *grade audit* indicating funding utilized for letter grades of F, W and I and link to class attendance audit. Likewise, create a *class attendance audit* for the 2009-10 academic year. Pending data, implement a class attendance policy for the 2010-11 academic year if needed...this policy includes consequences for unexcused missed classes and class-checking process and protocol. **Implemented grade audit and class attendance audit...not necessary to create class attendance policy at this time.**
    - Create and implement a Student-Athlete Academic Contract to facilitate timely progress toward degree and degree granting college. **Implemented**
    - Create an APR monitoring plan whereas Maria Peden and appropriate sports program administrator meet with each head coach once per semester regarding APR. **Implemented**
    - Develop APR Improvement Plan for Men's and Women's Basketball. **Implemented**

## II. Critical Goals - Short Term

### Student-Athlete Services

- Student-Athlete Development – Cougar Pride Leadership Academy (for additional goals please see 2010-11 Unit Goals)
  - Leadership Academy – develop a student-athlete leadership program. This program will include various levels of progression/achievement focusing on the following: Academic Achievement; Athletic Achievement; Personal Development; Professional Development; Community Service; Life Skills; Inclusivity; and Development of Leadership Skills. The program is mandatory for all freshmen with a purpose of integrating all student-athletes. The first year will encompass the NCAA CHAMPS/Life Skills Program as a foundation. The program will begin in Fall 2010 only if UH Athletics can hire a full-time CHAMPS/Life Skills coordinator. **Implemented in Fall 2010...received a \$250,000 donation to fund program...donor will continue to fund program on annual basis. The program will evolve in time...a curriculum task force has been created. This task force will review the program at the end of every year and implement changes/additions. UH Athletics will be only one of 8-10 programs in the country.**
  - Student-Athlete Advisory Committee – provide the Student-Athlete Advisory Committee (SAAC) direction (i.e., responsibilities), engage committee in a variety of athletic department goals/functions and amplify importance of role and membership. Include recognition in all media guides and game programs and on the website. Likewise, the SAAC will direct the Guest Speaker Series, Student-Athlete Banquet, Faculty Appreciation Day, etc. Additionally, the SAAC President attends select senior staff meetings. **Implemented...however more needs to be developed (see 2010-11 strategic initiative). A very good first year.**

## II. Critical Goals - Short Term

### Student-Athlete Services

- Sports Medicine – see 2010-11 Unit Goals
- Sports Performance – see 2010-11 Unit Goals

## II. Critical Goals - Short Term

### Internal Operations

- Budget (Business Operations) (for additional goals please see 2010-11 Unit Goals)
  - Implement a Zero-Base Budget Process System – develop a uniform/standard template for all sports programs and one for all administrative units. This template will also include fiscal years 2011-12 and 2012-13. Budgets will be based on need (detailed justification) and include benchmarking data versus other conference members as well as other non-BCS and BCS institutions. Additionally, the budget will be reviewed thoroughly by the athletics budget committee (key senior staff members and all sports program administrators). Likewise, expenses will be assigned to appropriate expense line items. **Implemented – a very thorough/efficient process. Each administrative unit and sports program will be provided a budget the director/head coach will need to sign. Likewise, an update will be provided each month...quarterly the Director for Business Operations will meet with the Director/Head Coach to review status. The sports program administrator will be included in the meeting with the Head Coach. Please note the budget committee reviewed each budget (approximately 23 individual budgets) a minimum of three different times due to requested changes and ensuing adjustments.**
  - Present a Five-Year Budget Initiative/Report to Dr. Khator – include future vision for athletics – revenues and expenses with focus on the reduction of current university subsidy; and benchmarking vs. select institutions including non-BCS and BCS members. **In-progress.**



## II. Critical Goals - Short Term

### Internal Operations

- Compliance (considered Internal – reports to Director of Athletics) (for additional goals please see 2010-11 Unit Goals)
  - Initiate/complete University and/or CUSA Compliance Audit of all compliance operations. This will include interviews with compliance staff, President’s Office, Director of Athletics, Head Coaches and Faculty Athletics Representative. Please note this is a voluntary process...we will ask CUSA to provide this service once every three years at *minimum*. **In-progress...just recently hired new Assistant Athletics Director for Compliance. Likewise, implemented changes per University Compliance Audit Report.**
  - Create, implement and/or review a Financial Aid Policy/Process – implement a policy/process that governs athletic aid for the academic year, summer school , 5<sup>th</sup> year and medical hardship. Policy includes the following: FAFSA requirement – necessary in order for athletic aid to be provided for summer school; frequency and method of living allowance distribution; timeline for application; summer school living allowance policy; dropped and/or failed courses for summer school classes; 5<sup>th</sup> year aid policy; and academic awards. **Pending...see 2010-11 strategic initiative.**
  - Implement an all-staff training session per each academic year. **Implemented.**
  - Enhance, revise or develop education program for all coaches, staff and student-athletes...include emphasis for student-athletes on agents and gambling (i.e., disclaimers/declarations, guest speakers). **Implemented.**
  - Enhance, revise or develop comprehensive monitoring system...may include the implementation of Compliance software database system. **In-progress...currently evaluating four different programs/vendors.**
  - Develop and implement a Professional Sports Counseling committee...committee to assist and educate student-athletes regarding agents and professional sports. **Pending....just recently hired new Assistant Athletics Director for Compliance.**
  - Review eligibility certification and streamline process whereas the process is more efficient and incorporates a better system of “check and balances” per NCAA guidelines and/or recommendations. **Pending...see 2010-11 strategic initiative.**

## II. Critical Goals - Short Term

### Internal Operations

- Facilities (Facility Operations) (for additional goals please see 2010-11 Unit Goals)
  - Develop a *Facilities Enhancement Matrix* indicating the following: Facility Project; Project Detail; Key Personnel; Starting Date; Completion Date; Cost; Funding Method; and Priority. **In-progress...refer to bullet points listed below.**
  - Analyze Robertson Stadium and determine feasibility (i.e.; business/finance plan; programming; partnership with Dynamo) of renovation or construction of new stadium. **Implemented...just recently completed comprehensive feasibility study. Cost of new stadium is \$100-\$120 million.**
  - Athletics/Alumni Center – need of \$750,000+ of maintenance/repair work. This does not include resurfacing the indoor track and field...this is a requirement in two years. The initial cost is \$275,000.
  - Cougar Field – needing \$250,000 in repairs and/or upgrade.
  - Cougar Softball Stadium – currently water leaks into locker room and continues to cause water damage. Presently, waiting for estimated cost of all repairs/upgrades.
  - Hofheinz Pavilion – lighting is very poor and cannot be upgraded/replaced due to asbestos issue and associated cost. Currently, 75% of arena (not including floor) lighting has not been replaced. The men's locker room shower cannot be utilized due to excessive leaking through floor. In addition, water leaks have created damage in all areas of the arena and additional auxiliary space areas are in need of major repair. Hofheinz Pavilion is the worst basketball arena in CUSA. **Implemented...just recently completed comprehensive feasibility study. Cost of renovated arena with practice facility is \$40 million.**
  - Tom Tellez Track – the current track can no longer be utilized...a replacement track will cost \$300,000. Please note UH Athletics is scheduled to host the 2011 (2010-11 academic year) CUSA Outdoor Track and Field Championships.

## II. Critical Goals - Short Term

### Internal Operations

- Human Resources/Personnel (a component of the Business Operations Unit)
  - Culture of Department – must address/incorporate culture of excellence, teamwork/cooperation, inclusiveness, passion, energy, caring and transparency. **Implemented/In-progress.**
  - Staff NCAA Diversity Training Session/Seminar – apply to NCAA for UH Athletics staff session. **Implemented.**
  - Student-Athlete NCAA Diversity Training Session/Seminar – apply to NCAA for UH student-athletes session. **Applied – pending award from NCAA.**
  - Human Resources Task Force – implement a human resources task force to address the following: new employee orientation; staff cohesion/unity (i.e., administrative assistant meetings, staff outings/special events); and professional development opportunities (i.e., mentoring program). **In-progress – see 2010-11 strategic initiative.**

## II. Critical Goals - Short Term

### Internal Operations

- Operational
  - Organizational Structure – reorganize (i.e., personnel, reporting structure) senior staff and various units (i.e.; administrative – academic services, business operations, compliance operations, external relations units and facilities and operations; sports program support – equipment operations, speed, strength and conditioning and sports medicine). Likewise, implement, assign and define roles for Sports Program Administrators. **Implemented...submitted to University Human Resources.**
  - Unit Goals/Initiatives and Review – develop annual goal setting and review process for each unit including action plans addressing priority goals. Actions plans to identify objective (tied to one of three departmental goals), goal(s), team leader, team members, action steps and completion date. **Implemented...refer to attached documents.**
  - Mission Statement and Core Values – develop and integrate new UH Athletics Mission Statement and Core Values. **Pending – see 2010-11 strategic initiative.**
  - Student-Athlete Handbook – review and update the student-athlete handbook. Include new mission statement and core values; **agent disclaimer; gambling declaration;** transfer policy; interview policy and procedure; academic success recognition program; and summer school and 5<sup>th</sup> year aid policy. **Implemented with exception of mission statement and core values.**
  - Spirit of Cooperation – develop positive working relationships with all university departments/offices including Communications; Development; Office of General Counsel; Plant Operations; Office of the Provost; and Student Affairs. Likewise, establish a very positive relationship with the various governmental agencies. **Implemented/In-progress.**

## II. Critical Goals - Short Term

Other

- Gender Equity
  - Develop a gender equity report (and strategic initiative plan if needed) indicating current status of UH Athletics. **In-progress – see 2010-11 strategic initiative.**

## II. Critical Goals - Short Term

### Other

- Sports Programs
  - Evaluate Head Coaches – hired five (5) new head coaches in the following order: men’s golf; volleyball; men’s basketball; women’s basketball; and baseball. **Implemented.**
  - Evaluate Head Coaches – renegotiated contracts for the following head coaches: Leroy Burrell – Men’s and Women’s Cross Country/Track and Field; Jane Figueiredo; Women’s Diving; and Kevin Sumlin, Football.
  - Introduce Sports Program Administrators and Specific Responsibilities. **Implemented.**
  - Developed and introduced comprehensive Head Coach Evaluation Process. **Implemented.**
  - Introduced Leadership Team Meetings. **Implemented.**
  - Developed Head Coach and/or Assistant Coach Contractual Changes – per Head Coach Management Report. **Implemented.**
    - Incentive Income/APR Requirement Clause (new)
    - Support and Supervise and Properly Treat Student-Athletes Clause (revision/addition)
    - Receive Approval from AD or Designee for the Team’s Schedule Clause (new)
    - Fail to Provide Notification of Other Coaching Opportunity Clause (new)
    - Reassignment Clause (revision/addition)
    - UH Termination without Cause Clause (revision/addition)
    - Introduced appropriate Ending Term Dates
    - Implemented “Buy-Outs” (Coach Terminates without Cause – salaries more than \$75K)

## II. Critical Goals - Long Term

(2010-11 – 2014-15)

- Department Strategic Planning
  - Implement a strategic planning process for entire department including each sports program, associated units (i.e.; equipment; sports medicine; sports performance) and administrative units (i.e., business office, development, marketing and promotions). This process will include short and long term goals, unit audits and specific action plans. **In-progress.**

## II. Critical Goals - Long Term

(2010-11 – 2014-15)

- Sports Program Success
  - NACDA Director's Cup – achieve a Top 40 ranking within five years (2007-08 – final ranking was 92; 2008-09 – final ranking was 128; 2009-10 – final ranking was 111).
  - The following sports programs should compete at a national level – Top 25.
    - Baseball
    - Men's Basketball
    - Women's Basketball
    - Football
    - Men's Golf
    - Men's and Women's Indoor and Outdoor Track and Field (4 teams)



## III. Shaping the Future of Athletics

Strategic Initiatives 2010-11

- Mission Statement and Core Values
- Leadership Academy
- Student-Athlete Academic Services Restructure
- Academic Review Process
- Academic Award and Recognition Process
- Ticket Sales – comprehensive sales and advertising strategies and execution plans
- Fund Raising Plan – Stadium/Arena
- Student-Athlete Advisory Committee
- Student-Athlete Handbook
- Human Resources Task Force
- Substance Abuse Policy
- Website
- Student-Athlete Code of Conduct
- Financial Aid
- Student-Athlete Criminal Background
- Student-Athlete Banquet

## III. Shaping the Future of Athletics

1. Develop Mission Statement and Core Values\*  
To determine the definition and scope of our mission and guiding principles for the purpose of evolving our identity and culture.
2. Introduce Cougar Pride Leadership Academy\*  
To develop an innovative Leadership Academy that integrates all student-athletes and focuses on life skills, leadership responsibilities and academic achievement.
3. Restructure Student-Athlete Academic Services  
To review and restructure all elements (i.e., advising, study hall, academic contracts, withdraw process, Academic Progress Rate monitoring plan, class attendance checks, grade audits, communication with coaches/sport program administrators, progress reports) of academic services with an emphasis on academic “at-risk” student-athletes and increasing both graduation rates as well as retention rates.

## III. Shaping the Future of Athletics

4. **Initiate a Comprehensive Academic Review Process\***  
To develop an effective and efficient admission review policy whereas a three-tier system is utilized categorizing future academic success by comprehensively assessing the prospective student-athlete's academic records with respect to university admission standards and NCAA initial/continuing eligibility rules.
5. **Develop an Extensive Academic Award and Recognition Program**  
To design an approach and method for celebrating student-athlete and team academic achievement which impels individuals and teams to excel in the classroom and reinforce the importance of academic achievement.
6. **Implement Comprehensive Sales and Advertising Strategies and Execution\***  
To create innovative, comprehensive and highly effective season and individual ticket sales campaign for football, men's basketball and women's basketball with advertising strategies and execution.

## III. Shaping the Future of Athletics

7. Develop a Comprehensive Fund Raising Plan (i.e., naming rights, giving society) – Stadium/Arena\*  
To conceive and implement a capital campaign enabling the construction of athletics facilities targeting football and basketball.
8. Student-Athlete Advisory Committee  
To enhance the role and involvement of the recognized student-athlete leadership group.
9. Revise Student-Athlete Handbook (to include gambling and agent disclaimers/declarations)\*  
To overhaul the current incarnation of the manual for student-athletes so that it is an innovative and useful resource of information and contacts.

## III. Shaping the Future of Athletics

10. Create Human Resources Task Force\*  
To implement a human resources committee/task force for the purpose of addressing/fostering employee relations and development.
11. Revise Substance Abuse Policy  
To review and evaluate current policies; research will be conducted on other programs with an emphasis on current information and practices.
12. Develop and Introduce New Website and Electronic Media Mediums\*  
To create new UH Athletics website and develop electronic media mediums.
13. Develop Student-Athlete Code of Conduct  
To create a student-athlete code of conduct as a baseline in order to implement a fair and consistent set of expectations and disciplinary action.

## III. Shaping the Future of Athletics

14. Create and Implement Formal Financial Aid Policy

To address financial aid issues both institutional and in athletics; specifically for financial aid based on athletic ability; a system for evaluating responsible measures needs to be created to assess fifth year and medical grant-in-aid situations.

15. Review and Revise Eligibility Certification Process

To review and revise eligibility certification process for the purpose of modernizing procedures making use of technology and innovation.

16. Create and Implement Student-Athlete Criminal Background Process  
(Incorporate in the Academic Review Process)

To develop and implement a student-athlete background assessment.

## III. Shaping the Future of Athletics

### 17. Develop and Incorporate Student-Athlete Celebration Banquet

To develop and incorporate a new and improved student-athlete celebration banquet.

### 18. Initiate Gender Equity Report/Review\*

To complete a gender equity report/review.

# Strategic Initiative - Process Example

## Cougar Pride Leadership Academy

- **Define Objectives:**

**Cougar Pride Leadership Academy: Curriculum (Freshmen/Sophomore) and Advisory Board** (Based on NCAA/Champs Life-skills model with Senior Staff “must haves” from Strategic Planning Meeting underlined)

- **Program Objectives for New Cougars:**

- Teach freshmen and sophomores how to lead themselves effectively
- Develop skills to enhance academic achievement
- Ease the transition of freshman student-athletes to the classroom, the community and Division I athletics
- Create social connections between freshmen and sophomores on all teams
- Provide freshmen and sophomores with upper class peer mentors
- Teach freshmen and sophomores the importance of respecting leadership and help them identify leadership traits in themselves and teammates
- Develop upper-class student-athlete leaders to mentor the freshmen



# Strategic Initiative - Process Example

## Cougar Pride Leadership Academy

- Assemble the Team
  - Coach James Dickey      Head Coach, Men's Basketball
  - DeJuena Chizer      Associate Athletic Director/SWA
  - Coach Kyla Holas      Head Coach, Softball
  - Coach Jason Phillips      Offensive Coordinator, Football
  - Roxanna Button      SAAC Representative, Women's Basketball Student-Athlete
  - Sasha Blake      Director, Cougar Pride Leadership Academy
  - Maria Peden      Associate Athletic Director/ Student-Athlete Services

# Strategic Initiative - Process Example

## Cougar Pride Leadership Academy

- **Topics to Address**

- New Cougars (Freshmen and Sophomores):

- Academic Issues
- Cougar History and Traditions
- Health and Wellness Issues
- Financial Management Issues
- Athletic Issues
- Ethics and Leadership
- Career Development
- Community Outreach
- Etiquette

- Emerging Leaders (upperclassmen)

- Veteran Leaders (upperclassmen)

## Strategic Initiatives Process Defined

- Discuss the subject
- Define objectives
- Identify a leader
- Assemble a team
- Determine a strategy
- Develop a action plan
- Set a schedule
- Commit to fulfillment

## IV. 2009-10 Areas of Focus

- Compliance
- Budget
- Athletics Highlights
  - Academic Performance
  - Student-Athlete Accomplishments
  - Team Accomplishments

# Compliance Review

- NCAA Rules Education
  - Coaches
  - Athletics Staff
  - University Support Personnel
  - Boosters and Fans
- Control Software – automatic system for NCAA required processes and tracking
  - Recruiting documentation
  - Recruiting telephone contacts
  - Countable athletic activity
  - Inter-phasing with PeopleSoft and NCAA software
- Academic Review Committee
  - Composed of Athletics and Campus representatives
  - Purpose
    - to assess graduation capabilities of incoming student-athletes beyond admissions and NCAA initial eligibility standards
    - to review specific transcript, standardized test and other college preparedness materials for credibility
    - to assess student-athlete criminal background

# Budget Highlights

- Revenue

- Ticket Sales

- Royalties, Advertising & Sponsorships

- Cougar Pride and Other Contributions

- Expenses

Completed zero-based budgeting process for FY11 to obtain realistic expense figures which created a true starting point for monitoring and control.

# Budget Highlight – Ticket Sales

<b>Ticket Revenue</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11 To date</b>	<b>2010-11 Budgeted</b>
<b>Football Season</b>	<b>\$ 877,040</b>	<b>\$ 1,283,422</b>	<b>\$ 1,859,741</b>	<b>\$ 2,000,000</b>
<b>Football Single</b>	<b>476,194</b>	<b>1,498,786</b>	<b>707,987</b>	<b>1,125,000</b>
<b>Men's Basketball Season</b>	<b>233,775</b>	<b>208,865</b>	<b>139,856</b>	<b>342,000</b>
<b>Men's Basketball Single</b>	<b>92,250</b>	<b>93,904</b>	<b>969</b>	<b>70,035</b>
<b>All other sports</b>	<b><u>115,029</u></b>	<b><u>155,235</u></b>	<b><u>23,958</u></b>	<b><u>181,833</u></b>
<b>Total</b>	<b>\$ 1,794,288</b>	<b>\$ 3,457,812</b>	<b>\$2,732,511</b>	<b>3,718,868</b>

## Budget Highlight – Royalties, Advertising & Sponsorships

- ISP (Rights Fee Partner)
  - \$395,000 in FY09
  - \$407,500 in FY10
  - \$1.15 million (average) for FY11 – FY18 *[currently in negotiations]*
- Coke (Pouring Rights Partner)
  - \$358,000 in FY09
  - \$573,333 in FY10 (estimated)
  - \$465,000 base contract in FY11
- Licensing Royalties
  - \$139,428 in FY09
  - \$120,000 in FY10 (estimated)
  - \$260,000 budgeted for FY11



## Budget Highlights – Cougar Pride

Cougar Pride (CP) & Other Contributions to Athletics:

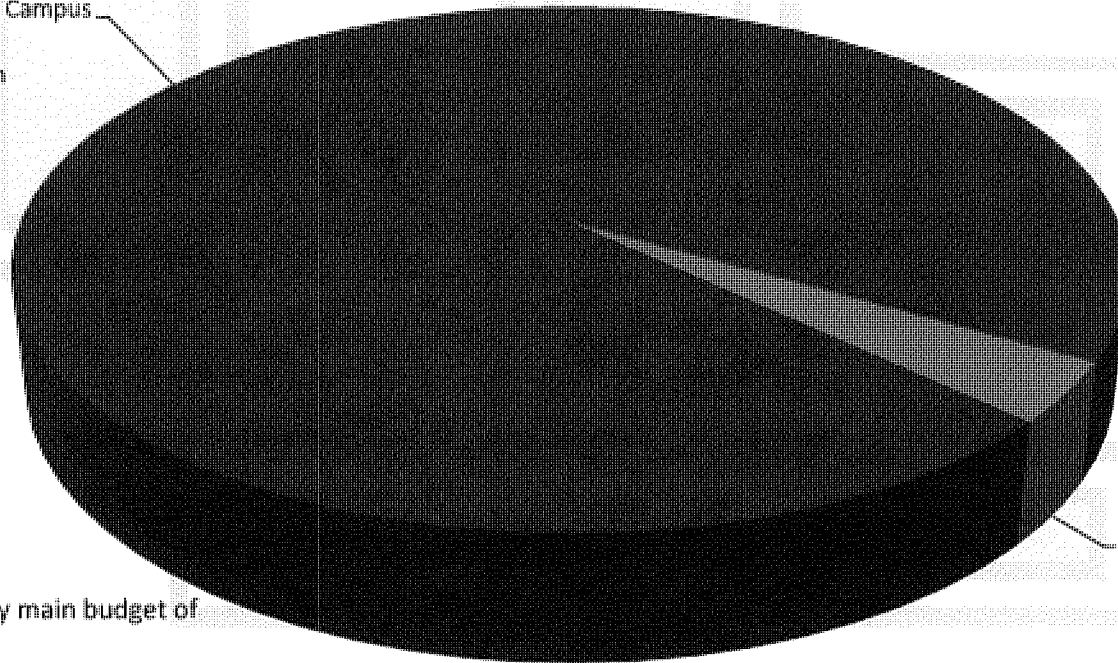
- \$2,212,800 in FY09 (Total – CP; Hall of Honor; Restricted)
- \$2,300,000 (CP only) in FY10 (achieved) (\$3.2 Total – CP and Restricted)
- \$2,600,000 budgeted for FY11 (CP only)

Athletics Financial Graphs

# Athletics Part of University Total

**Athletics Percentage of Total Budget FY2010**

Total University Main Campus  
Budget  
\$805.9 million



Total Athletics Budget  
3.8% \$30.9 million

Based on total university main budget of \$805.9 million and Athletics total budget of \$30.9 million (adjusted for Dynamo, less \$500,000 in additional revenue and expenses)

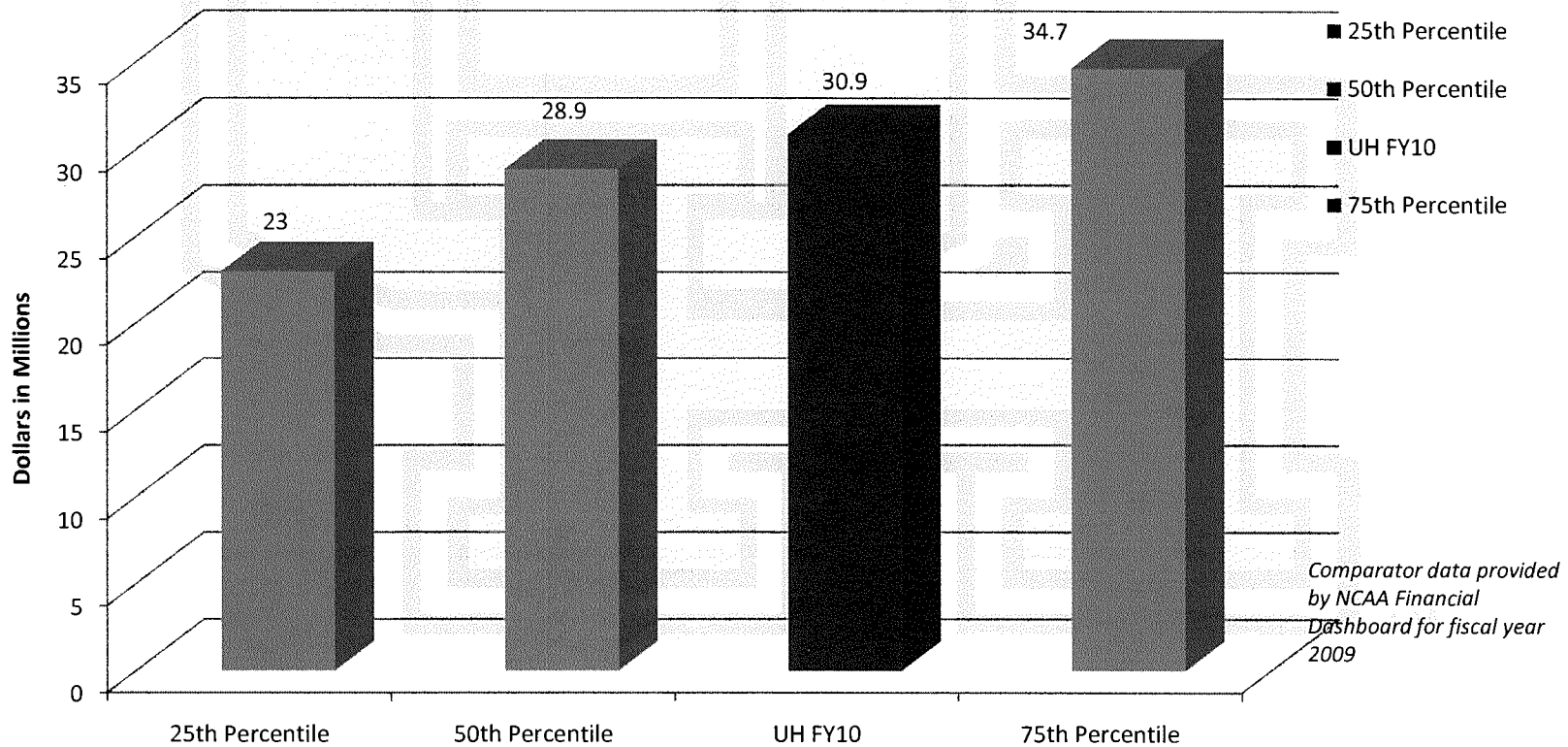
# Athletics Comparator Groups

- **Conference USA**  
East Carolina, Marshall, Memphis, Rice, SMU, USM, Tulane, Tulsa UAB, UCF and UTEP
- **Non-Bowl Championship Series (BCS) Programs**  
54 institutions in Conference USA, Mountain West, Western Athletic, Mid-American, Sun Belt and Independents
- **Next Generation BCS**  
Utah, BYU, Temple, Fresno State, Boise State, Memphis, TCU and UCF  
*(Defined as institutions possessing the athletics profile to most likely be considered for inclusion in the Bowl Championship Series classification of NCAA Football Bowl Subdivision)*
- **NCAA Football Bowl Subdivision (FBS) – 119 Total Programs\***
  - 65 Bowl Championship Series Programs
  - 54 Non-BCS Programs

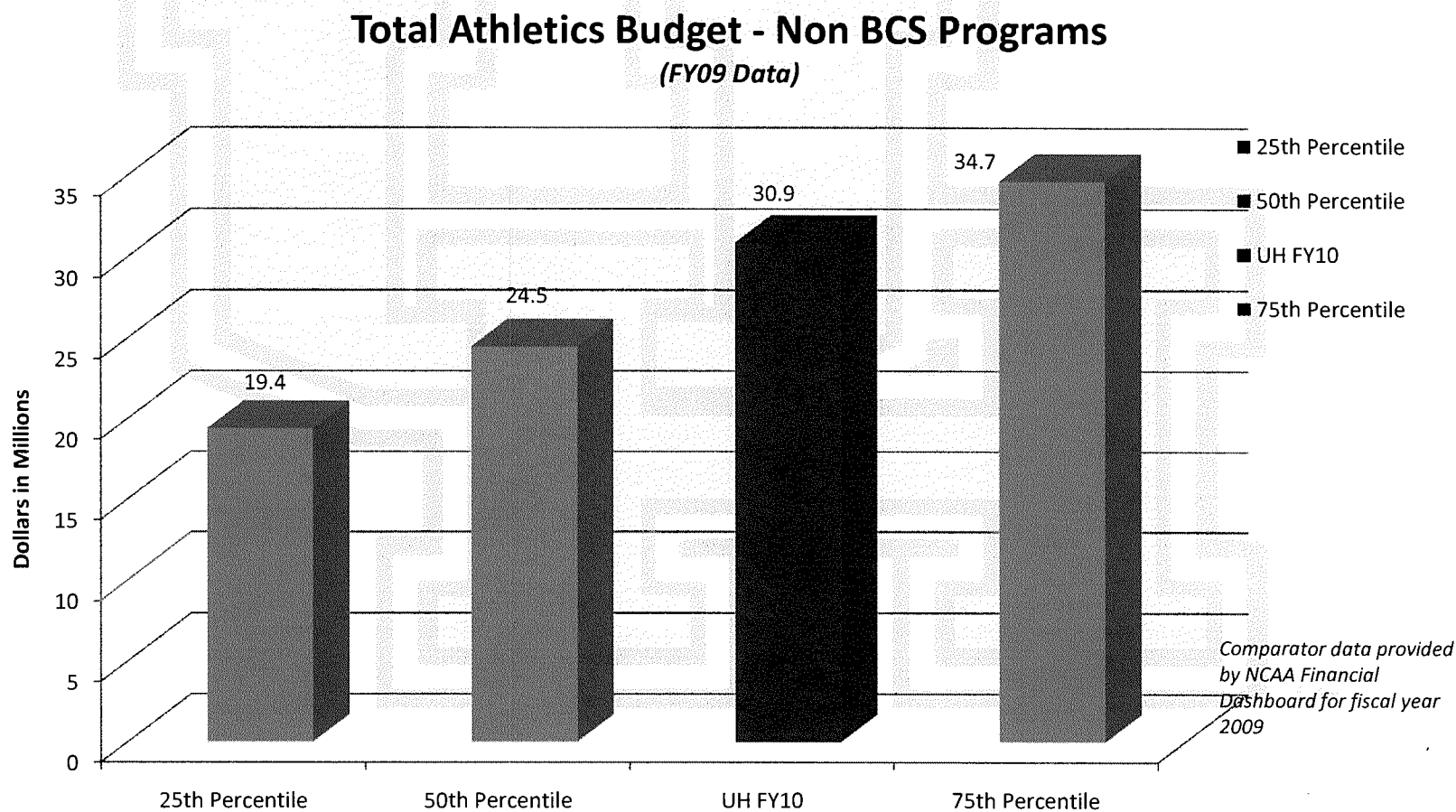
*\*Current alignment*

# Baseline Comparisons

**Total Athletics Budget - Conference USA**  
*(FY09 Data)*

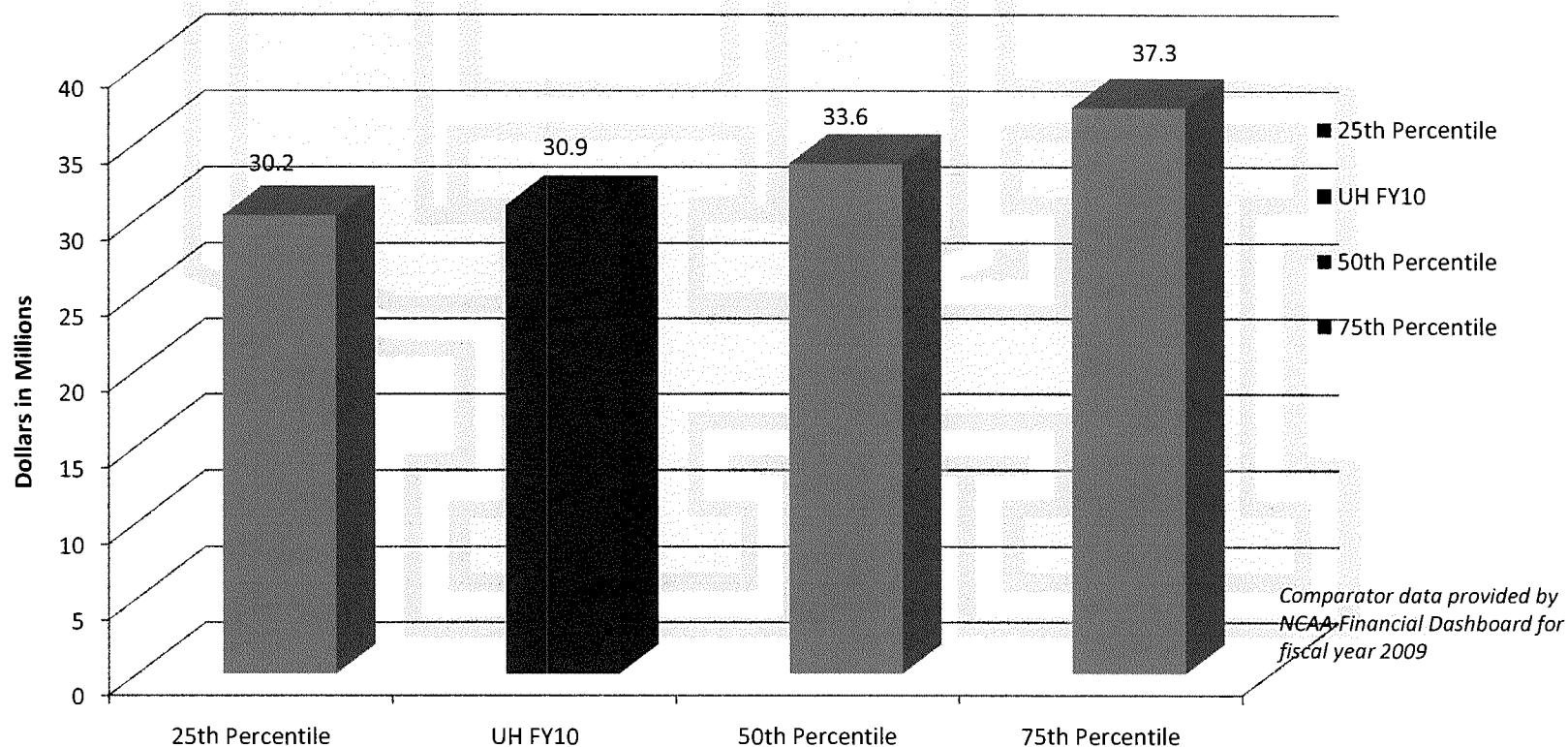


# Baseline Comparisons

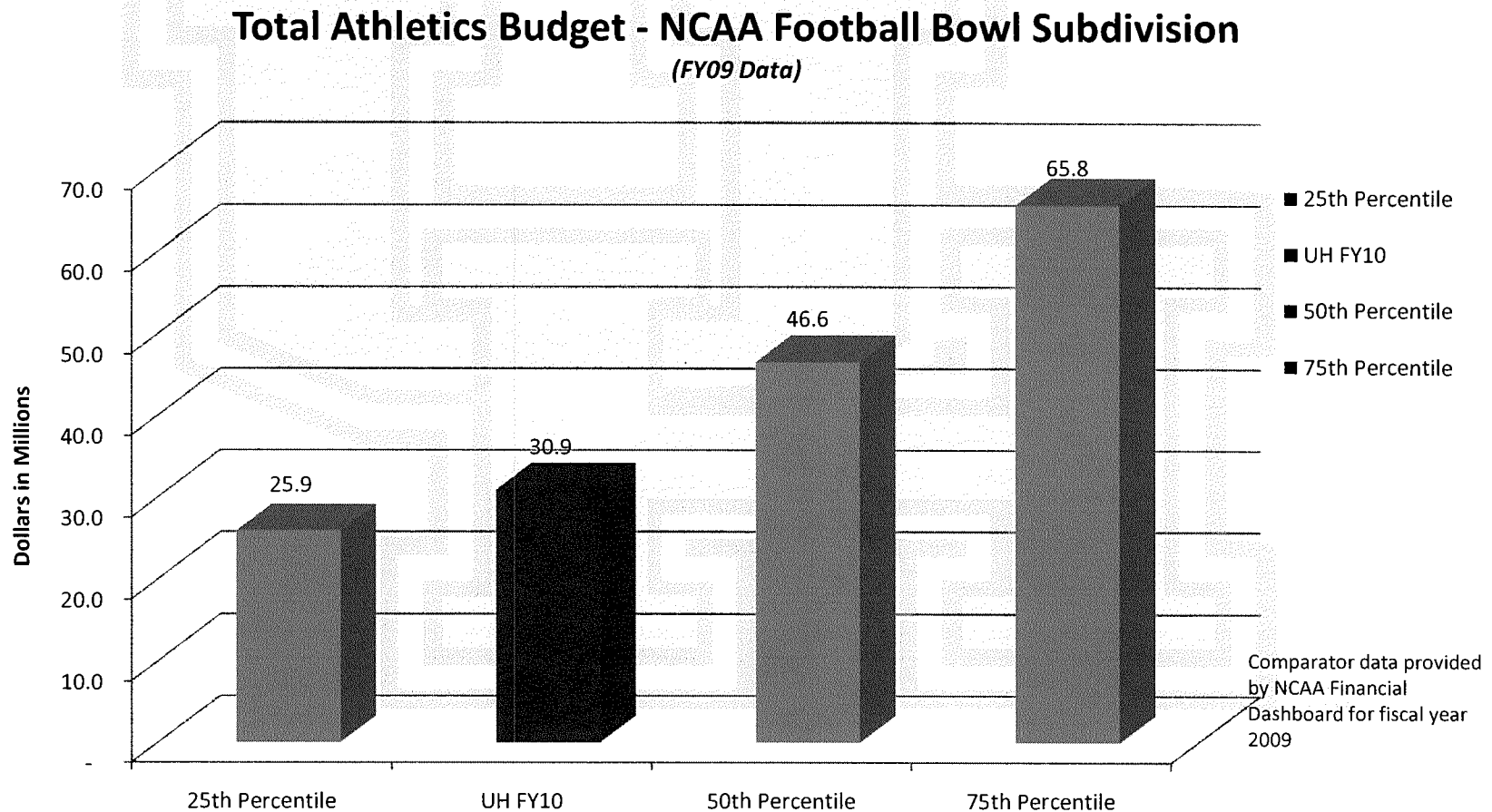


## Baseline Comparisons

### Total Athletics Budget - Next Generation BCS Programs (FY09 Data)



## Baseline Comparisons

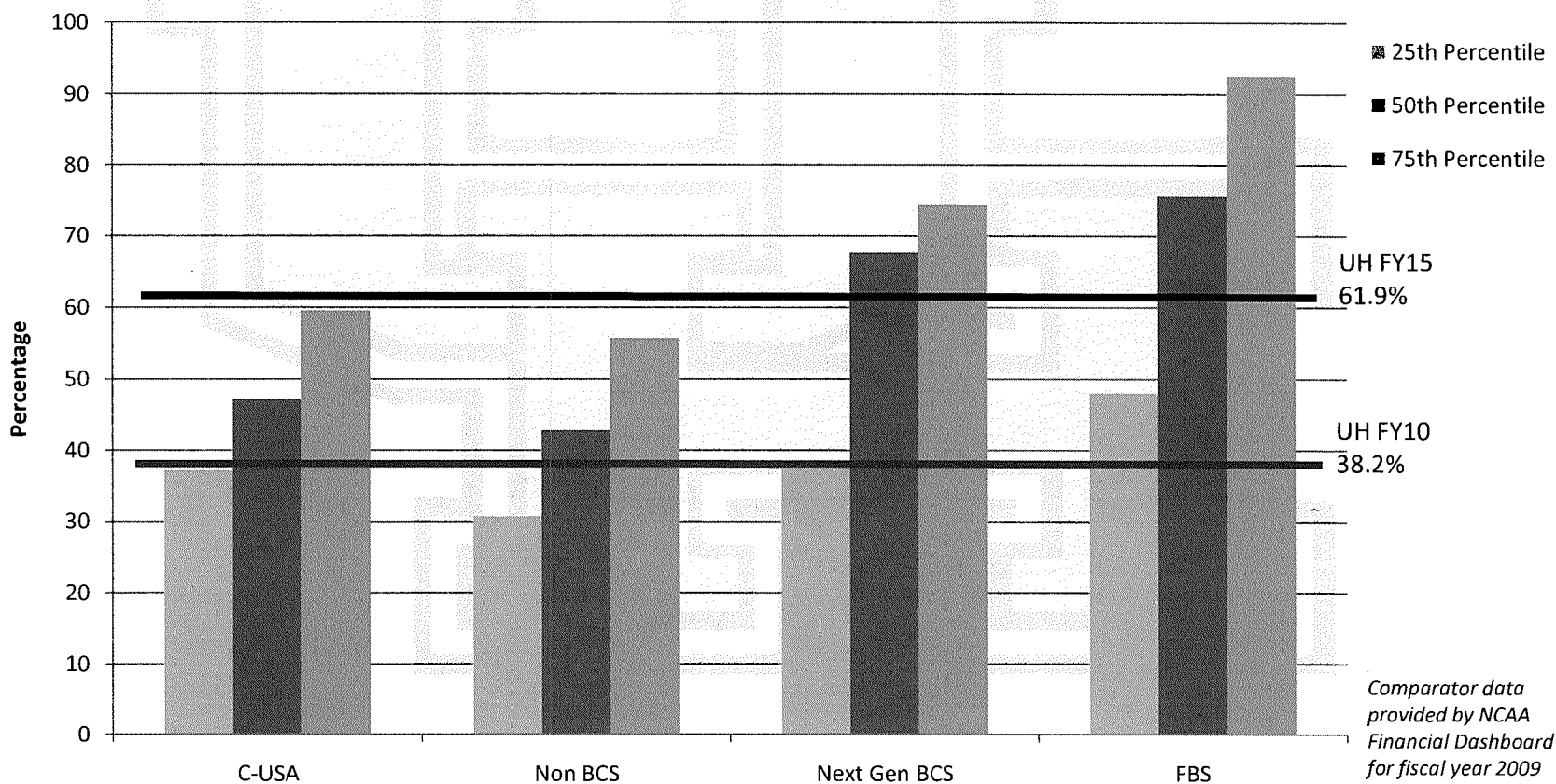




## Athletics Revenue

### Generated Revenue Percentage

*Athletics Generated Revenues/Total Athletics Revenues - Generated revenues include all revenues that are earned by the athletics department for participation in athletics (i.e., ticket sales, contributions, royalties, etc.)*



# Capital Projects Update

- The architectural and engineering firm AECOM is completing the remaining phases of the feasibility study for facilities development started earlier this year in February
- Finalizing the appearance and detail of the renderings
- Working with University Advancement and peer volunteer group to develop prospect list and donor solicitation strategies
- Currently focused on securing naming rights and other lead gifts for stadium

## Athletics Highlights Academic Performance

### *Academic Performance of current Student-Athletes:*

- **Semester GPA:**  
**Spring 2010 – 2.80 (highest ever)**  
*(Spring 2009 – 2.67)*  
  
**Fall 2009 – 2.64**  
*(Fall 2008 – 2.61)*
- **Cumulative GPA:**  
**Spring 2010 – 2.74 (highest ever)**  
*(Spring 2009 – 2.69)*  
  
**Fall 2009 – 2.69**  
*(Fall 2008 – 2.68)*
- **Semester Hours Passed:**  
**Spring 2010 – 13.5 (highest ever for Spring)**  
*(Spring 2009 – 13.1 hours)*  
  
**Fall 2009 – 13.1**  
*(Fall 2008 – 13.4)*

The **cumulative grade point average** represents the GPA for all student-athletes over all years; the semester GPA represents only the grade averages achieved by student-athletes in their courses for a single semester. Example: John Doe earns a 3.5 GPA for spring 2009 and has a 2.75 cumulative (overall) GPA.

## **Athletics Highlights**

### **Academic Performance**

*Continued...Academic Performance of current Student-Athletes:*

- **Academic Good Standing:**  
**Spring 2010 – 94%**  
(Spring 2009 – 92%)  
  
**Fall 2009 – 91%**  
(Fall 2008 – 92%)
- **Dean’s List – Spring 2010:**
  - ✓ **12% of the Student-Athlete Population (38 student-athletes)**
  - ✓ **33% of the Volleyball Team earned Dean’s List Honors**
  - ✓ **29% of the Swimming & Diving Team earned Dean’s List Honors**
  - ✓ **23% of the Women’s Basketball Team earned Dean’s List Honors**
  - ✓ **22% of the Softball Team earned Dean’s List Honors**

## Athletics Highlights Academic Performance

*Continued...Academic Performance of current Student-Athletes:*

- **Dean's List – Fall 2009:**
  - ✓ 48% of the Swimming and Diving Team earned Dean's List Honors
  - ✓ 38% of the Volleyball Team earned Dean's List Honors
  - ✓ 30% of the Women's Track Team earned Dean's List Honors
  - ✓ 25% of the Softball Team earned Dean's List Honors
  - ✓ 24% of the Baseball Team earned Dean's List Honors
- **Other:**
  - ✓ Teams with 3.00+ semester GPA, as of Fall 2009: Softball, Swimming and Diving, Tennis and Volleyball
  - ✓ Teams with 3.00+ semester GPA, as of Spring 2010: Women's Basketball, Softball; Swimming and Diving; Tennis; Women's Track; and Volleyball
  - ✓ Teams with 3.00+ cumulative GPA, as of Fall 2009: Softball, Swimming and Diving, Tennis and Volleyball
  - ✓ Teams with 3.00+ cumulative GPA, as of Spring 2010: Softball; Swimming and Diving; Tennis and Volleyball
  - ✓ Eight (8) of twelve (12) teams have a cumulative average of B- or better as of Spring 2010
  - ✓ Forty-eight (48) student-athletes Graduated during the 2009-10 Academic Year
  - ✓ Thirteen student-athletes received CUSA Academic Medal (GPA of 3.75 or higher)
  - ✓ 117 student-athletes named to CUSA Commissioner's Honor Roll (GPA of 3.0 or higher)

## Athletics Highlights

### Academic Performance

#### *Continued... Academic Performance of current Student-Athletes:*

- **National Measures**

**Federal Graduation Rates:**

**Graduation Success Rates:**

✓ Class of 2004-05: 51%  
(for public release Fall 2011)

79%

✓ Class of 2003-04: 44%  
(for public release Fall 2010)

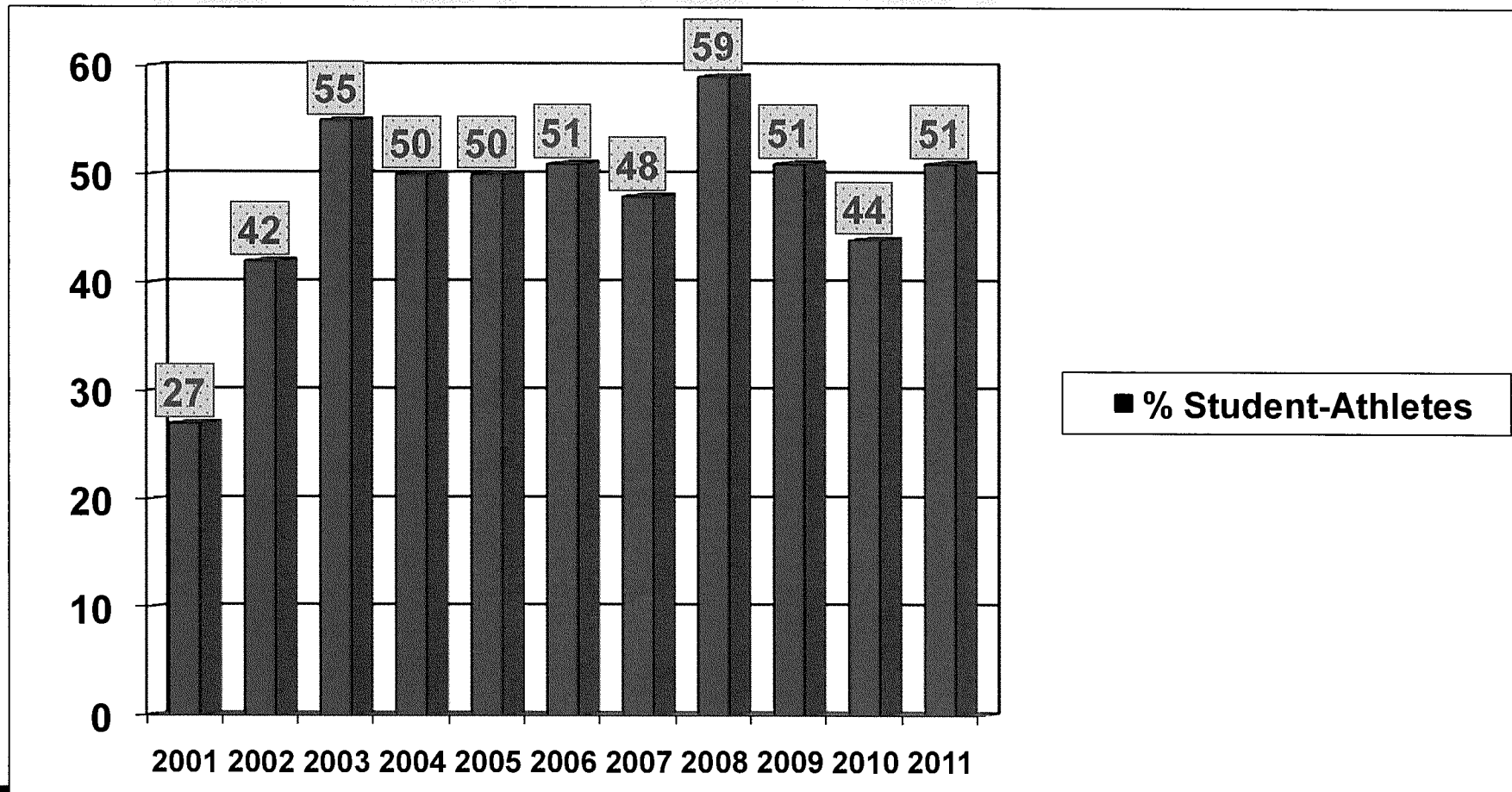
69%

✓ Class of 2002-03: 51%  
(publicly released November 18, 2009)

- Federal Graduation Rates measure only freshmen (FTIC) athletic scholarship student-athletes and allow students 6 years for graduation (i.e., the Class of 2001-2002 must have graduated by August 1, 2007).
- Transfers (-in and -out) of the 6-year cohort who graduate do not count in the rate and transfers out of the cohort are detrimental to the rate. Non-scholarship student-athletes who are subsequently placed on athletic scholarship later do not count in the rate.

## UH Student-Athlete Federal Graduation Rates

\*2010 Rates will be released in October or November



## Athletics Highlights Academic Performance

*Continued...Academic Performance of current Student-Athletes:  
Eleven of Twelve teams improved their APR scores from the 2008-2009*

- Academic Progress Rates (APR):

- ✓ Baseball - 954
- ✓ Football - 942
- ✓ **Men's Basketball - 885\***
- ✓ Men's Cross Country - 934
- ✓ Men's Golf - 940
- ✓ Men's Indoor Track - 945
- ✓ Men's Outdoor Track - 943
- ✓ Women's Basketball - 930
- ✓ Women's Cross Country - 947
- ✓ Softball - 986
- ✓ Women's Soccer - 953
- ✓ Women's Swimming and Diving - 952
- ✓ Women's Tennis - 951
- ✓ Women's Indoor Track - 946
- ✓ Women's Outdoor Track - 945
- ✓ Women's Volleyball - 928

\* *Historical Penalty (public warning) issued for APR score below 900; no scholarship losses.*



## Athletics Highlights Academic Performance

### *Continued... Academic Performance of current Student-Athletes:*

#### **Academic Progress Rate (APR):**

- APR is the measure used by the NCAA to determine if the institution's individual sports programs are meeting minimum academic standards and to promote academic success among its scholarship student-athletes. This process evaluates a three areas of academic analysis: retention, maintaining eligibility and graduation. Data on these three areas are collected for each regular academic term and a rolling four-year score is determined annually for each sports program.
- Each student-athlete can earn a possible 4 points (for an academic year); two points for being eligible and two points for being retained as a full-time student. The APR listed in the Multi-year Rate in the APR report for an institution is the score that determines whether or not a team faces a penalty.
- The NCAA has determined a "cut" score of 925 is satisfactory reflecting a potential graduation rate of 50 percent among student-athletes. Teams at or above this level are not subject to penalties.
- Academic Progress Rate (APR) data is submitted to the NCAA 6 weeks after the first day of each Fall term, followed by requests for adjustments (points lost to delayed graduation, extenuating circumstances or the pursuit of professional opportunities).
- *Contemporaneous (scholarship) penalties* are applied to teams that do not meet the minimum multi-year APR score of 925 and are based on the number of "0 for 2" student-athletes on a squad with remaining eligibility (i.e., he/she was not eligible and did not return). If a senior who has exhausted athletic eligibility is "0 for 2", the lost points hurt a team's APR but the scholarship can be re-awarded. If a program is below the "cut" score of 925 but does not have any "0 for 2" student-athletes contemporaneous penalties are avoided.
- *Historical penalties* are applied to teams who score below 900 on the multi-year APR rate. Historical penalties begin with a letter of public warning and get progressively harsher if a team does not show improvement in the following years. The second and third occasion penalties include loss of practice time, loss of scholarships and bans on post- season competition. After a first historical penalty, a team must have a 4-year average of 900 for three subsequent years to avoid additional sanctions.

## Athletics Highlights

### Student-Athlete Accomplishments

- **2009-10 NCAA National Scholar-Athlete Advisory Council Award of Excellence:** University of Houston Student-Athlete Advisory Council (Clark Mitzner, UH Golf, President)
- **2009-10 – CUSA Spirit of Service Awards:**
  - ✓ Fall Sports – Case Keenum (Football)
  - ✓ Winter Sports – Roxana Button (Women’s Basketball)
  - ✓ Spring Sports – Charlissa Foster (Women’s Track and Field)
- **2009-10 – CUSA Scholar-Athlete Advisory Committee Coach of the Year Award:** Kevin Sumlin, Head Football
- **2009-10 - College Swimming Coaches Association of America** recently recognized five University of Houston swimmers and divers as *Scholar All-America Honorable Mentions*.
- 2006-2007 – **CUSA Postgraduate Scholarship Winner:** Sarah Fisher, Soccer
- 2008-2009 – **CUSA Postgraduate Scholarship Winner:** Shelby Scott, Soccer
- 2009-2010 – **CUSA Postgraduate Scholarship Winner:** Sasha Schwendenwein, Swimming and Diving

## Athletics Highlights Team Accomplishments

### Football

Case Keenum  
2009 C-USA Most Valuable Player

Charles Sims  
2009 C-USA Freshman of the Year

James Cleveland  
2009 C-USA Newcomer of the Year

### Men's Basketball

Aubrey Coleman  
2009-10 National scoring champion  
2009-10 All-Conference USA First Team

### Women's Basketball

Courtney Taylor  
2009-10 Conference USA Player of the Year

### Men's Indoor Track and Field

Errol Nolan  
2010 C-USA High Point Scorer of the Meet  
2010 C-USA Freshman of the Meet

### Women's Outdoor Track and Field

Grecia Bolton, Kalyn Floyd, Whitney Harris,  
Christie Jones

2010 USTFCCCA All-America Relay Team

### Men's Outdoor Track and Field

Chris Carter  
2010 C-USA Performance of the Meet

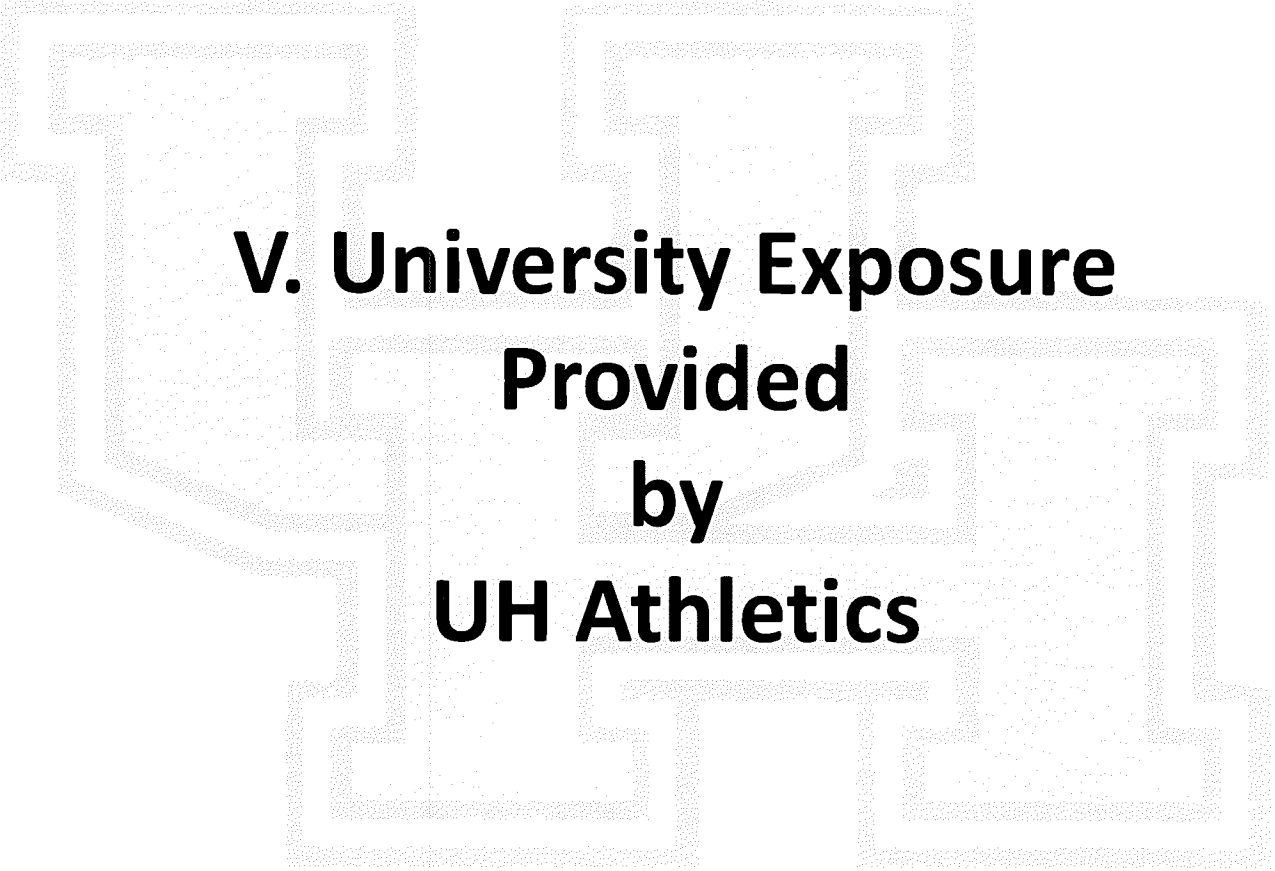
### Swimming and Diving

Anastasia Pozdniakova  
2010 NCAA Diver of the Year  
2010 NCAA 1-Meter Diving National Champion  
2010 NCAA 3-Meter National Runner-Up

Sasha Schwendenwein  
2010 C-USA Postgraduate Scholarship  
recipient

## Athletics Highlights Team Accomplishments

- **Football**
  - ✓ First 10-win season since 2006 and only second since 1991
  - ✓ First appearance in national rankings since 1991, rising as high as No. 12
  - ✓ Fifth straight bowl game
  - ✓ C-USA West Division co-champions
  - ✓ Kevin Sumlin – C-USA Coach of the Year
- **Men's Basketball**
  - ✓ 2010 C-USA Tournament champions
  - ✓ First appearance in NCAA Tournament since 1992
  - ✓ Sixth straight season with 18+ wins, a first in program history
- **Men's Indoor Track and Field**
  - ✓ 2010 C-USA Champions
  - ✓ Six C-USA individual champions
  - ✓ Leroy Burrell – C-USA Men's Coach of the Year
- **Men's Outdoor Track and Field**
  - ✓ 2010 C-USA Champions
  - ✓ Six NCAA Championships qualifiers
  - ✓ Six C-USA individual champions
  - ✓ Leroy Burrell – C-USA Men's Coach of the Year
- **Women's Outdoor Track and Field**
  - ✓ Four NCAA Championships qualifiers
  - ✓ One C-USA relay champion
- **Swimming and Diving**
  - ✓ Two NCAA Championships qualifiers
  - ✓ Five C-USA individual champions
  - ✓ Jane Figueiredo – NCAA Diving Coach of the Year
  - ✓ Jane Figueiredo – C-USA Diving Coach of the Year
- **General**
  - ✓ Houston became the first C-USA school to win league titles in football, men's basketball and baseball during its history



**V. University Exposure  
Provided  
by  
UH Athletics**

## V. University Exposure – Media and Fans

### Television

- ✓ The UH football team appeared on National/Regional television 12 times in 2009, the most in school history, including airings on Fox Sports, ESPN2, ESPNU, CBS College Sports (3) and Comcast Sports Southwest (CSS). The Cougars are scheduled for nine network broadcasts in 2010 with the possibility of up to 13.
- ✓ Cougar quarterback Case Keenum took part in the “ESPN Car Wash” in August, 2010, giving UH exposure on four national television shows, two national radio programs and numerous digital media platforms.

### Radio Broadcast

- ✓ Approximately 50 broadcasts per year (includes Football and Men’s Basketball)

### Internet Broadcasts

- ✓ Approximately 130 broadcasts per year (includes Football, Men’s and Women’s Basketball and Baseball)

### Print Media

- ✓ Houston Chronicle, USA Today, Dallas Morning News, Sports Illustrated, College Football News, Ft. Worth Star Telegram, Beaumont Enterprise, The Daily Cougar, Austin-American Statesman, San Antonio Express News, New York Times, etc.

### Athletic Competitions on Campus

- ✓ Annual Attendance: Approximately 200,000

## V. University Exposure – Community Service

### Community Outreach and Life Skills Events:

- ✓ Student-athletes in Men's and Women's Basketball participated in Harvard Elementary School's Literacy Night on October 20 and read from their favorite children's books to over 100 youth
- ✓ Cougar Baseball student-athletes visit Texas Children's Hospital on a weekly basis visiting with patients and their parents
- ✓ Over 60 student-athletes volunteered at the *Marathon Kids Kick-Off* event on the UH campus October 10, 2009 and hosted over 5,000 attendees
- ✓ **35 student-athletes represent their teams on the *Student-Athlete Athletic Advisory Committee* which meets bi-monthly to discuss student-athlete welfare, short-term and long-term goals and achieving excellence academically and athletically. President, Clark Mitzner (Golf) is also the Conference USA representative on the NCAA SAAC. Winner of the National SAAC Award of Excellence – 2009**
- ✓ Track and Field holds Life Skills seminars once a month and recent topics have included Test Taking Skills, Sports Nutrition and Test Anxiety
- ✓ ISP and New York Life sponsored a "Life Skills Career Boot Camp" for UH student-athletes on October 22 featuring seminars on networking, interview etiquette, job search strategies and resume writing

## V. University Exposure – Community Service

### *continued...Community Outreach and Life Skills Events:*

- ✓ 2008-2009: Enrolled over 1500 students in our Conference USA *Classroom on the Court* program in spring 2009. This was an athletic and educational based outreach program sponsored by C-USA to get local youth involved in stay-in-school and sports programs
- ✓ **Department of Athletics was honored for the 5<sup>th</sup> consecutive year by the National Consortium for Sports and Academics for Community Service and Degree Completion Programs**
- ✓ All-N-One/UH Outreach brings hundreds of disadvantaged youth to each home football game (4,250 for the season)
- ✓ **1,733 total cumulative hours of outreach performed by athletes**
- ✓ 26,730 students and adults were exposed to our campus and Athletic
- ✓ \$16,850 athletic event tickets were purchased for outreach efforts
- ✓ Outreach partners include: Zoe Learning Academy, Brazos Academy, Universal Academy, Kandy stripe Academy, Communities in Schools, Boys and Girls Club, Shape Community Center, Pasadena ISD, Alvin ISD, HISD, Fort bend ISD, Alief ISD, Klein ISD, Goose Creek ISD, FUUSA, Riverside General, PACE Youth Program, Katy ISD, Be A Champion, Inc., Big Brothers/Big Sisters, Fresh Start, Incentives Youth Program, Bay Area Football league, Brook Hollow Academy, Harvard Elementary School and Marathon Kids



## V. University Exposure – Community Service

### *continued...Community Outreach and Life Skills Events:*

- ✓ ISP and New York Life sponsored a “Life Skills Career Boot Camp” for UH student-athletes in October featuring seminars on networking, interview etiquette, job search strategies and resume writing attended by over 50 student-athletes
- ✓ Men’s and Women’s Basketball students participated in a TAKS Pep Rally and officiated a students vs. principals basketball game at Wolfe Elementary School in April.
- ✓ **Department of Athletics was honored for the 6<sup>th</sup> consecutive year by the National Consortium for Sports and Academics for Community Service and Degree Completion Programs**
- ✓ All-N-One/UH Outreach brings hundreds of disadvantaged youth to each home football game (over 2000 for the 2009 season)
- ✓ Over \$10,000 in athletic event tickets were purchased for outreach efforts
- ✓ Community Service and Outreach partners include: the Star of Hope, Zoe Learning Academy, Brazos Academy, Universal Academy, Kandy Stripe Academy, Communities in Schools, Boys and Girls Club, Shape Community Center, Pasadena ISD, Alvin ISD, HISD, Fort bend ISD, Alief ISD, Klein ISD, Goose Creek ISD, FUUSA, Riverside General, PACE Youth Program, Katy ISD, Be A Champion, Inc., Big Brothers/Big Sisters, Fresh Start, Incentives Youth Program, Bay Area Football league, Brook Hollow Academy, Harvard Elementary School, the Nehemiah Center, Wolfe Elementary and Marathon Kids.

## V. University Exposure – Special Events

### Special Events:

- ✓ Total of 100 events in 2009-10
- ✓ Approximately 400,000 total visitors
- ✓ Total youth attendance (18 and under) – Approximately 100,000
- ✓ Event Type Include:  
**EVENTS FOR FY 10**
  - TASO Tournament Games - Texas Association of Sports Officials
  - Marathon Kick Off Event
  - Texas Peppers - Round Robin Softball Tournament
  - My Star Outdoor Track/BB
  - MLK Parade Foundation Houston - Battle of Bands
  - Rivals. Com - High School Football Camp
  - TSU Relays
  - Westside High School- Baseball Team Practice
  - Sports Prep USA- 7 on 7 Junior Flag Football Tournament
  - The Lineman Clinic - Football Clinic for High School
  - Houston Area High School All Star Softball
  - Soccer United Marketing - Mexico National Soccer Team Training
  - United Football League- Tryouts
  - Parkview Baptist High School I Graduations
  - Archdiocese of Galveston- 5K/1K Run
  - Pasadena ISD - Graduations
  - Frontier Fiesta
  - NCAA Cheer Camp
  - UH Graduations
  - International Soccer
  - Houston Dynamo
  - Shaneco Enterprises, Inc- Football Camp
  - The Old Coach Network- Football Camp
  - Blue Chip Recruiting Round-Up - Football Camp

UNIVERSITY OF HOUSTON  
DEPARTMENT OF INTERCOLLEGIATE ATHLETICS

**2010-11 FISCAL YEAR GOALS**

**External Relations Units (and Areas of Responsibility):**

Communications Unit

- Develop a media policy and handbook for the entire Athletic Department.
  - ✓ Create a media policy for each sport program and overall department policy.
  - ✓ Develop protocols for website, social networking, travel, TV/Radio and all additional aspects of.
- Redesign of UHCOUGARS.com.
  - ✓ Design an effective, cutting edge plan for a new website for Houston Athletics, with more user-friendly and interactive features.
  - ✓ Develop video schedule in conjunction with Video Department, providing at least one weekly video segment for each team during their respective seasons.
  - ✓ Use flip cameras to implement interview videos with head coaches, student-athletes, administrators, etc.
  - ✓ Humanize our student-athletes, coaches and administrators to our fan base with a feature story schedule for both in and out-of-season sports.
- Increase use of social media (Twitter, Facebook).
  - ✓ "Tweet" and link to Facebook every story and video clip that is placed on UHCougars.com in
    - Conjunction with Marketing, Promotions and Sales unit.
  - ✓ Twitter followers are nearly at 900 and Facebook followers nearly at 5,000 (as of May 16).
  - ✓ Advertisement Houston's Twitter and Facebook accounts at games through public address.
    - Announcements and advertisements.
  - ✓ Move over 1,000 followers on Twitter and 7,000 fans on Facebook.
  - ✓ Use fan-friendly features to draw followers (photos of the week, trivia contests, prizes). Find stories on University of Houston Athletics from other news agencies (ESPN, *Sports Illustrated*, newspapers covering opposing teams) and direct fans to them via Twitter and Facebook.
- Transition from printed media guides to on-line record books.
  - ✓ Football: July 23 (back from printer and posted on web).
  - ✓ Volleyball: Aug. 10 (posted on web).
  - ✓ Soccer: Aug. 10 (posted on web).
  - ✓ Cross Country: Aug. 10 (posted on web).
  - ✓ Swimming: Sept. 15 (posted on web).
  - ✓ Women's Tennis: Oct. 1 (posted on web).
  - ✓ Men's Basketball: Oct. 15 (back from printer and posted on web).
  - ✓ Women's Basketball: Oct. 15 (back from printer and posted on web).
  - ✓ Track and Field: Nov. 15 (posted on web).
  - ✓ Softball: Jan. 15 (back from printer and posted on web).
  - ✓ Baseball: Jan. 15 (back from printer and posted on web).
  - ✓ Men's Golf: Jan. 15 (posted on web).
    - Convert old media guides into simplified records books (head shots, minimal graphics) for all sports, printed for football, men's and women's basketball, baseball and softball.
    - Post Record books online as pdfs for cross country/track and field, swimming, volleyball, soccer, tennis and golf.

- Creation of on-line recruiting guide.
  - ✓ Create 46-page interactive recruiting guide covering all sports and all aspects of the Athletic Department.
    - Minimum two-page spread for each sport with 2-minute video of every head coach and a 2-minute tour and video of each sports program's home facility.
    - Additional spread with videos for the University of Houston, city of Houston and Director of Athletics, Historic Houston moments, Sports Performance, Academic Support and other support staff units.
- Develop stronger relationship with University Communications.
  - ✓ Create alliance with University Communications to better understand the academic community and utilize non-traditional resources.
- Foster better relationships with media members.
  - ✓ Return phone calls from members of the media promptly and courteously within 24 hours.
  - ✓ Provide information requested by media members quickly and in a professional manner.
  - ✓ Visit with local media directors outside of Houston events more regularly.
  - ✓ Meet individually with the *Houston Chronicle's* Steve Campbell and Fox 26's Mark Berman.
  - ✓ Discuss how we can help them more with stories for all sports and how we can improve.
  - ✓ Meet with CBS College Sports to determine needs for increased coverage.
  - ✓ Look for special interest story topics and work with video unit to suggest to CBS C.
  - ✓ Provide research, quotes, other information to increase exposure.
- Develop relationship with Houston Community Newspaper.
  - ✓ Engage Houston Community Newspapers as marketing plan focuses more and more on these areas.
- Heisman Trophy Campaign for Case Keenum.
  - ✓ Develop and implement a Heisman Trophy campaign for quarterback Case Keenum.
  - ✓ Use redesigned web site and create a Case for Heisman page, updated regularly with statistics, honors, bio information.
  - ✓ Weekly updates of stats, milestones and successes to national media and award voters.
  - ✓ Look into "Case for the Heisman" laptop computer bag with embroidered logo.
- Develop stronger relationships with coaching staff.
  - ✓ Preseason meetings with head coach and sport administrator.
  - ✓ Discuss upcoming season and set expectations.
  - ✓ Prepare for proactive coverage, special interest stories, media appearances, etc.
  - ✓ Meet regularly with members of coaching staffs of our respective sports to catch up on the latest news and search for story ideas and suggestions.
- Become more collaborative with marketing.
  - ✓ Continue to work with Marketing, Promotions and Sales unit in publicity of non-sports events (coaches' tours, speeches, etc) through local media and UHCougars.com.
  - ✓ Help with coverage of Marketing, Promotions and Sales initiatives through contacts in the local media.
- Technology upgrades.
  - ✓ Build an Athletics Department digital library to house photos of current and former student-athletes, coaches, staff members and graphics for use by all Department personnel.
  - ✓ Purchase Flip cameras for quick video content on the web.
  - ✓ Purchase new SLP camera.
  - ✓ Purchase MAC laptops computers for staff.
- Improve internal communication and office function.

- ✓ Better internal communication among Communications staff members.
- ✓ Weekly staff meetings to discuss the latest issues and events in each member's duties.
- ✓ Make staff knowledgeable about external issues and plans from upper administrators.
- Development of student staff.
  - ✓ Recruit and develop of student staff of 6-8 for work at events and in the office.
  - ✓ Prepare students to obtain a position in the athletics communications field.
  - ✓ Create a four-year progress plan for student assistants.
- Explore future personnel.

#### Development Unit

- Develop and implement Cougar Pride strategic plan providing a framework and direction for the growth of our annual fund, "Friends of" program (restricted sports specific donations and clubs), major gifts, endowment, capital projects and special events.
- Create an organizational chart for Cougar Pride team including defined job descriptions and responsibilities.
- Discuss and finalize Cougar Pride fiscal year.
- Discuss Cougar Pride branding and a potential name change to better identify and define our UH Athletics fundraising arm.
- Create an athletics development or annual giving logo for branding opportunities.
- Develop and implement a comprehensive marketing plan for Cougar Pride encompassing available mediums to increase exposure and capabilities of athletic development.
- Create and distribute Cougar Pride brochures and collaborative materials by December, 2010 or based on finalized fiscal year.
- Reevaluate Cougar Pride communication strategy including but not limited to "thank you" letter guidelines, email correspondence, alternate media opportunities (Facebook, Twitter, etc.) and establish an alternate course of action for each, if necessary.
- Inform Cougar Pride supporters through email and mail if necessary, announcing the promotion of Katina Jackson and the hiring of Jeramiah Dickey, include necessary job responsibilities according to each position.
- Load Cougar Pride brochure into Z-mags; determine use of second Z-mags license.
- Update and edit website bi-monthly in conjunction with the Cougar Pride strategic plan based on upcoming events including Cougar Pride accomplishments, etc.
- Reevaluate Cougar Pride giving levels and benefits in conjunction with our future goals and expectations.
- Continue to develop a comprehensive communication plan highlighting the Cougar Pride Priority Point System and the associated benefit levels based on annual commitment. Transport donor information prior to 2000 from Advance into Paciolan to include those gifts in priority point totals and evaluate other areas of the priority point plan that may need modification.
- Develop a comprehensive plan for increasing the average Cougar Pride gift per household based on our overall number of hard credit donations in said fiscal year.
- Re-examine the gift entry and processing procedures/systems and improve transportation of information to and from Paciolan and Advance to maximize efficiency, minimize duplication of information, minimize errors and improve "First & Ten" renewal process.
- Cougar Pride team will receive additional training in Paciolan to improve ability to data mine and produce relevant reports.
- Increase amount of time dedicated to research in order to produce at least 10 donor prospects per month that lead to successful engagement with UH Athletics.

- Improve collaboration with UH Annual Giving to assist Cougar Pride with solicitations in order to increase unrestricted giving to UH Athletics.
- Develop and implement a comprehensive plan to cultivate all \$1,000+ donors. Cougar Pride members will be assigned in conjunction with the Cougar Pride strategic plan and team member's specific job responsibilities.
- Increase unrestricted donations from \$2,300,000 to \$2,600,000.
- Increase number of donors to Cougar Pride from 2,043 to 2,500.
- Increase trade by a minimum of 25 additional trade partners to Cougar Pride.
- Develop advertising campaign for "Take It to the Next Level" to have 10% of donors reach new giving levels.
- Develop and implement a strategic plan for all special events including but not limited to the Hall of Honor, reunions, Corbin J. Robertson/Endowment donor dinner, pre-season luncheon, receptions, student-athlete thank-a-thon and UH Athletics golf tournaments.
- Discuss the financial impact of summer school and whether or not specific special event funds should be designated to UH Athletics Summer School Fund; in, which case, a donation goal will be set accordingly.
- Create a special events master calendar, allocate trade to cover costs and work with the special events office to assist when possible.
- Assist student services area with All-Sports Banquet and student-athlete graduation breakfast to improve the events and involve more donors.
- Create, organize and define the "Friends of" program for the following athletic programs: baseball, men's and women's basketball, men's and women's cross country, football, men's golf, women's soccer, softball, swimming and diving, tennis, men's and women's track and field and volleyball. Restrictions initially will include former student-athletes being solicited only.
- Create, organize and define the following restricted sport specific clubs for the following sport programs: baseball, men's and women's basketball, football and men's golf including but not limited to "The Huddle", "Project 17", "Fast Break Club", "Assist Club", "Homerun Club" and a softball club to be named at a later date. Develop a comprehensive initiative including set donation limits, specific sport team responsibilities and the Cougar Pride approval process in conjunction with Cougar Pride goals.
- Create, organize and develop Cougar Pride Development Committee to discuss capital campaign projects, projections and prospect management enhancing our fundraising capabilities and efficiency for potential capital gifts. Members include Mack Rhoades, Darren Dunn, Katina Jackson, Jeramiah Dickey and potentially UH Advancement representative(s) based on overall strategic plan and UH Athletics goals.
- Develop strategic fundraising plan for football stadium. The plan will include among other things: naming opportunities, giving pyramid and societies, exploring utilizing "endowment seat program", sale of suite, club and loge seats, new priority seating program, parking benefits and develop a major gift prospect list. Raise funds for football stadium with a total goal of \$80 million.
- Develop strategic fundraising plan for basketball arena. This plan will need to include among other things: naming opportunities, giving pyramid and societies, sale of premium seating, development of priority seating program and develop a major gift prospect list. Raise funds for basketball arena with a goal of \$25 million.
- Develop strategic fundraising plan for golf teaching facility at Redstone Golf course. This plan will include among other things: naming opportunities, giving pyramid and societies and development of prospect list. Raise \$1 million the UH teaching facility at Redstone golf course.
- Develop and implement a long range Cougar Pride parking plan for completion of parking garage and looking forward to completion of stadium project.

- Increase Shasta's Squad kid's club to 70 members and raise \$2,500 by Fan Appreciation Day. Discuss the Coog Crew and the Cougar Pride resuming responsibility to enhance comprehensive strategic plan to cover all age groups.
- Improve the Cougar Fun Zone in Tailgate Village. Discuss collaboration with Marketing and Promotions and the possibility of shifting tailgate responsibilities.
- Discuss the collaboration between the H-Association, UH Cougar Athletic Alliance, H1 and UH Alumni Association.
- Increase awareness and membership in the H1Club. Create a board which would include members from all sports. Evaluate effectiveness of H1 after dedicating time and effort to increase awareness and increase membership.
- Shift responsibility for department emails from Cougar Pride to Ticket/Marketing/Communications.
- Develop an internship program in conjunction with sport management degree plan through the College of Education.
- Hire a work study student based on projected budget.

#### Marketing, Promotions and Sales Unit

- Create comprehensive Marketing plans for season tickets, single game tickets and group ticket sales that will increase ticket revenue, attendance and greatly improve the "game day atmosphere" for the following programs: Football, Men's Basketball, Women's Basketball, Volleyball, Soccer, Softball and Baseball. Discussions with Ticket Sales & Service will take place during each planning process.
- Dramatically enhance the "Game day" presentation/entertainment primarily for Football, Men's Basketball and Women's Basketball.
- Create/establish an "out-bound" sales culture in Marketing, Promotions and Sales unit.
- Develop stronger relationships with "on-campus" departments/groups, including but not limited to Dean of Students, Homecoming Committee, Student housing/Fraternities/Sororities/private housing units, Provost, UH Marketing/Communication, UH Colleges, UH System-wide Universities.
- Develop an "on-campus" marketing committee with students/staff/faculty to discuss strategies to increase involvement.
- Combine all printed materials into one agreement to reduce costs, create efficiency and stay on a pre-determined timeline for each item.
- Create Media Trade Agreements and Media Game Sponsorship packages to increase our "trade" advertising budget.
- Create and sell special price points for specific audiences in conjunction with Ticket Sales & Service.
- Create new Rivalry Series with Rice University.
- Overall Advertising/Promotional plan for budgeted dollars.
- Review/evaluate new All-Sport season pass for Soccer, softball, volleyball and possibly women's basketball.
- Increase email and address databases.
- Create an organizational chart for the Marketing Department including defined job descriptions and responsibilities.

#### Merchandise and Licensing

##### *Merchandise*

- Create plan to liquidate current Cougar Authentic merchandise to increase revenue and provide giveaways and/or BN to purchase.
- Finalize contract with Barnes & Noble to run Athletics' gift shop as well as all UH Athletic events.
  - ✓ Maximize percentage while requiring great customer service and a wide-range of merchandise UH fans want to wear.

- ✓ Require a Gift-In-Kind donation from vendor for Department use.
- ✓ Discuss/evaluate new name for gift shop and logo for the shop.
- ✓ Improve awareness of gift shop location.
- ✓ Improve and/or increase locations at events
- ✓ Create announcement plan and identify special sales items.
- ✓ Minimum goal of \$35,000 in net sales in year 1 (first year expenses approximately \$300,000; please note Cougar Authentic had a net loss of \$125,000 in FY 2008-09).
- Create more appealing displays in the gift shop and at UH events.
  - ✓ Sideline merchandise and/or Official team gear displays – unique to the gift shop.
- BN and marketing to work closely in identifying game day products to promote at each home event.
- Meet with BN on a monthly basis to discuss sales strategies/promotional ideas.
- UH Equipment and BN to work together when ordering Nike merchandise.
- Utilize [www.uhcougars.com](http://www.uhcougars.com) to increase sales for BN (Goal: \$75,000 gross revenue).
- Keep fresh merchandise displayed.
- Work with CBS Interactive on ways to increase sales.
- Monthly meeting to discuss next month (and next 3 months) sales efforts; ideas to increase sales (all areas from web).
- Work closely with the University for the planned parking garage next to Robertson Stadium to claim retail space for the new gift shop (and possibly a new ticket office).
- Start a “game day” shirt program – a new look/logo for each home game.
- BN to develop sales brochures for direct mail to ticket buyers/CP databases.

\*Mike Rea is the contact person with Barnes & Noble.

\*Rob Stewart is the contact person for CBS Interactive (for revenue streams).

### *Licensing*

- Evaluate current CLC contract and revenues.
- Organize/coordinate an RFP process for the UH Licensing program.
  - ✓ Improve revenue splits (and overall net revenue to UH Athletics).
  - ✓ More UH merchandise in Houston area retail space on a more consistent basis.
  - ✓ Increase local market presence by licensing company.
  - ✓ If necessary, create transition plan with licensees/retailers for new licensing company.
- Create new, comprehensive plan to increase royalty revenue to \$325,000 +in gross sales in yr. 1 ('09-10 rev: \$262k).
  - ✓ Increase royalty rate.
  - ✓ Incorporate Wear Red campaign with Dept and University/system-wide (Spirit Day).
  - ✓ Increase the number of licensees from 160 to 200+.
  - ✓ Work with vendors to create merchandise promotions and events.
  - ✓ Communicate retail locations to UH alumni/fans
- Complete review of current marks/font style and determine need for new/revised primary and secondary marks.
  - ✓ Work closely with UH Communications to determine need/approach/implementation.
  - ✓ Begin process to remove old marks from athletic facilities/campus.
- Create consistent “look”/image with each sport program and department with the following items (to be finalized by July 1, 2010).
  - ✓ Letterhead
  - ✓ Note cards
  - ✓ Business cards



- ✓ Fax cover sheet
- ✓ Birthday card/Holiday card
- Work closely with departments and coaches to meet their needs.

\*Rob Stewart is the contact person with LRG.

#### Ticket Sales and Service Unit

- Create an organizational chart for Ticket Sales and Service.
- Create a list of job duties and responsibilities for each position on the organizational chart.
- Organize a committee for throughout the athletics department to update and improve the Ticket Office policies and procedures manual as well as departmental ticket forms.

#### *Ticket Operations*

- 90% renewal rate on 2010 football season tickets.
- Reduce student workers expenses by monitoring weekly hours to ensure workers are used only during busy times, hire qualified work-study students to reduce operating expenses, and explore options with HHP for students who need non-paid intern hours.
- Create a ticket operations training manual for new and returning student workers.
- Create a student policy manual to include job requirements, disciplinary guidelines, and dress code.
- Improve internal communication—staff, students, and department.
- Improved external communication--customers.
- Work with the individual sports to transition their camps from separate companies to Paciolan.
- Work with Web Site/Paciolan pages to improve efficiency for customers.
- Evaluate the use of scanners at athletic events.
- Explore, with External Relations group, expanding social media outlets to be Ticket Office specific.
- Create a committee to develop and improve strategies to increase season renewals and sales, as well as group sales.
- Create a committee to explore ways to improve customer service at events.
- Evaluate the concept of an All-Sports pass.
- Improve the registration collection process for Indoor Track.
- Improve the look of the office.

#### *Ticket Sales*

- Overall—Increase by 17.6% to \$3,718,868 in tickets and parking revenue.
- Implement a structured outbound sales program.
- Hire 3 Account Executives (AEs) for outbound sales.
- Football Season - Season Tickets—Increase by 58% from 6,310 in 2009 to 10,000 in 2010, Groups—Increase by 50% from 10,026 to 15,000, Total Ticket Revenue—Increase by 12.9% from \$2,782,208 to \$3,125,000 in tickets.
- Men’s Basketball - Season Tickets— Increase from 1,101 in 2009-10 to 1,600 in 2010-11, Groups—Increase from 2,057 in 2009-10 to 5,000 in 2010-11, Total Ticket Revenue—Increase from \$302,769 in 2009-10 to \$425,000 in 2010-11.
- Women’s Basketball - Season Tickets—Increase from 58 in 2009-10 to 150 in 2010-11, Groups—Increase from 574 in 2009-10 to 1,200 in 2010-11, Revenue—Increase from \$14,516 in 2010-11 to \$30,000 in 2010-11.
- Soccer - Season Tickets— Increase from 13 in 2009 to 50 in 2010, Groups— Increase from 56 in 2009 to 500 in 2010, Revenue— Increase from \$4,270 in 2009 to \$8,000 in 2010.

- Volleyball - Season Tickets— Increase from 10 in 2009 to 50 in 2010, Groups— Increase from 177 in 2009 to 500 in 2010, Revenue— Increase from \$5,289 in 2009 to \$9,000 in 2010.
- Softball - Season Tickets— Increase from 79 in 2010 to 100 in 2011, Groups— Increase from 999 in 2010 to 1,500 in 2011, Revenue— Increase from \$31,215 in 2010 to \$40,000 in 2011.
- Baseball - Season Tickets— Increase from 282 in 2010 to 400 in 2011, Groups— Increase from 1,668 in 2010 to 2,000 in 2011, Revenue— Increase from \$108,167 in 2010 to \$145,000 in 2011.
- Track and Field—Revenue increase of 19% from \$10,916 in 2010 to \$13,000 in 2011.
- Parking - Football—Increase revenue from \$91,090 in 2009 to \$120,000 in 2010, Men’s Basketball— Increase revenue from \$8,400 in 2009-10 to \$10,000 in 2010-11.
- C-USA Track and Field Indoor Championship—Increase revenue from \$6,144 in 2010 to \$8,000 in 2011.
- C-USA Swimming and Diving Championship—Increase revenue from \$12,119 in 2010 to \$14,000 in 2011.

#### Video Operations Unit

- Pre-season meetings with each head coach and sport administrator to discuss the upcoming year and set expectations.
- Purchase a video editing/viewing system for Men’s Basketball, Women’s Basketball and Volleyball.
- Provide Training and support for all sports regarding video equipment and software.
- Improve the video elements of all Banquets.
- Work with Marketing and Development to create video content to support each unit.
- Create an organizational chart for the Marketing Department including defined job description and responsibilities. Also create a simple chart of who is the video contact for each sport.
- Assist Marketing in improving the game day atmosphere for fans at Football, Men’s Basketball, Women’s Basketball, and Baseball.
- Work closely with the Communications staff to greatly enhance the department website with new video content.
- Work with the Communications staff to create special interest segments for CBS College Sports to increase exposure. Create a monthly plan on special interest story topics.
- Work with the Associate Athletic Director for Communications to contact XOS regarding a desktop communicator. Also discuss new equipment.
- Develop a policy regarding UH Video Services support of ISP.
- Recommend and Purchase all video equipment and supplies for the entire department.
- Work with the School of Communications to recruit student workers.
- Completely organize the video office suite to always have a professional look including the front office, work areas, and individual offices and desk.

#### **Student-Athlete Services Units (and Areas of Responsibility):**

##### Student-Athlete Development Unit – Academic Center for Excellence (ACE)

- Increase C-USA Academic Honor Roll and Academic Medalists.
- Increase Dean’s List Honorees to eighteen percent (18%) of all student-athletes.
- Increase semester hours passed in a year to thirty (30) degree countable hours per year.
- Reduce “W’s” of all scholarship student-athletes to ten percent (10%).
- Reduce academic suspensions of scholarship athletes to two percent (2%).
- Reduce number of scholarship student-athletes on probation to six percent (6%).

- Schedule meetings with each team's *Academic Liaison Coach* prior to the start of each semester where measurable team academic goals, policies (class checks, reporting, contracts) are established and agreed upon.
- Begin to implement a class check/class attendance policy that will – unless academic performance warrants it – serve as an educational program for student-athletes and coaches. Re-evaluate effectiveness in May 2011.
- Implement “Academic Contracts” (drafts attached for revenue vs. non-revenue sports) that specify expectations, policies, current academic status and graduation plan. Contracts required for all MBK, WBK, Football and select Olympic Sports students.
- Investigate purchase and use of on-line monitoring system for tutorial attendance, study hall attendance and academic appointments. Coaches and counselors would have access.

#### Student-Athlete Development Unit – Cougar Pride Leadership Academy

- Create job description, conduct search and hire Director, Cougar Pride Leadership Academy.
- Publicize Cougar Pride Leadership Academy in local media, UH Cougars website, and introduce Director at “Shasta Blast”.
- Form a Curriculum Committee to develop freshman and sophomore level programming.
- Update Student-Athlete Development Program area to include space, signage and graphics reflecting Cougar Pride Leadership Academy.
- Implement Freshman and Sophomore Level Programs by mid-September.
- Conduct 5 Emerging Leaders, Senior Leaders and Coaches’ workshops for academic year 2010-11 to begin September 28-29<sup>th</sup>.
- Include Cougar Pride Leadership Academy in recruiting materials and itineraries.
- Create Cougar Pride Leadership Academy Advisory Board to meet every six weeks to evaluate and assist Director with programming and operations.
- Work with coaches, administration, and Student-Athlete Advisory Council to implement programming that is responsive to the needs of UH student-athletes and enhances every aspect of their experience: personal, social, academic and athletic.

#### Sports Medicine Unit

- The addition of two certified athletic trainers to better give our student-athletes quality care.
- Yearly updating of the injury treatment modalities and rehabilitation equipment in our sports medicine department so we may have the latest technology to better care for the student-athletes.
- Yearly maintenance of all medical equipment, swim -ex, whirlpools and rehabilitation equipment so it will meet federal codes for safe operation.
- Continuing education for all full-time staff athletic trainers in order to maintain license and certification at the state and national level.
- Review our sports medicine physician contracts and agreements to have the best medical care for our student-athletes.
- Review and update our drug testing and education policy with the purpose to eliminate the use of drugs within our athletic department.
- Gain 100 %CPR training for our entire athletic department for the purpose of saving lives.
- Review and update our pre- participation physical examinations for all student-athletes.
- Review the existing concussion management plan which includes baseline testing, a signed statement by student-athletes accepting responsibility for reporting their injuries along with being presented with educational material on concussions.

- Annually record a baseline assessment for each student-athlete prior to the first practice in the sports of baseball, basketball, diving, football, pole vaulting, soccer and softball as part of the concussion management plan.
- Review the existing emergency plan which is kept on file for each athletics venue to respond to student-athlete catastrophic injuries and illnesses, including but not limited to concussions, heat illness, spine injury, cardiac arrest, respiratory distress and sickle cell trait collapses.
- Implement a written team physician-directed concussion management plan that specifically outlines the roles of athletics health care staff.
- Annually review the yearly pre-season meetings with individual coaches on our health care program which includes - Emergency Action Plan, Concussion Management Plan, NCAA sickle cell legislation, Drug testing and education program, Medical insurance, Flu vaccine, Sports medicine policies and procedures.
- Annually review the student health care issues to be addressed to each team before the seasons begin which includes - ADHD policy, Concussion management plan, NCAA sickle cell legislation, Meningitis vaccine requirement, Medical insurance, Drug education and testing program, Annual flu vaccine and education, Sports medicine department policy and procedures.
- Annually review our medical insurance carrier to give our department the best medical care, as well as being the most cost effective.
- Implement a standard policy that the orientation package sent to all incoming student-athletes includes the medical insurance information sheet.
- Review our sports medicine supply inventory procedure to give our student-athletes the best medical care as well as being the most cost effective.
- Review our procedure for recruiting undergraduate and graduate student athletic trainers with the goals of graduation and becoming licensed athletic trainers.
- Review and update our sports medicine policy and procedures manual.

#### Sports Performance Unit

- Create a Sports Nutritionist Position.
- Develop and implement a nutritional plan of action to properly fuel and protect student-athletes.
- Re-organize current allocated office space to maximize coaches training performance.
- Incorporate an appropriate employee evaluation process which accurately reflects job responsibilities and expectations.
- Define the criteria for new employment within the Sports Performance Dept.
- Develop and maintain an active, ongoing mentoring program for interns, volunteers, student workers and (or) graduate assistants.
- Institute and host a Sports Performance Clinic.
- Review and update current rules of conduct in Sports Performance facility.
- Review and update current dress code policy in Sports Performance facility.

#### **Internal Operations Units (and Areas of Responsibility):**

##### Business Operations Units

- NCAA Reporting Tree - Reporting tree should be changed so data is automatically pulled correctly to appropriate category. Eliminate the step at the end of the year of moving expenditures to the NCAA categories.
- Create Department levels within athletics to better pull financial reports.

- Monthly Reconciliations are sent out in a timely manner. Once month closes, reports should be sent out within 7 working days.
- Meet with secretarial staff/administrative staff that process financial documents monthly to go over process changes. (I believe if we concentrate on training individuals more, less mistakes will be made which produces faster processing of documents).
- Develop a desk manual for secretarial staff/ administrative staff relating to financial documents. (This should help with training new staff).

#### Equipment Operations Unit

- Maintain accurate and up to date records for all Equipment Budgets for every sport to ensure each sport remains within his/her proposed budget.
- Work on accuracy of Inventory to reduce amount of items ordered, and budgeted for, thereby reducing the size and scope of the budgets requested.
- Continue to work on innovative ways to improve functionality of equipment room and space to insure maximum efficiency within the equipment room.
- Continue to work with all coaches and staff to ensure needs are met prior to beginning of season and any issues are handled in an appropriate manner.
- Work closely with Nike and all Nike reps to ensure team needs are met, build relationship with Nike and ensure all future negotiations with Nike are beneficial to the University of Houston.
- Continue to build equipment room and staff of equipment room so that we can better serve the coaches and staff.
- Make sure that we continue to learn new and better ways of operating so that we can continue to become more efficient within the equipment room to better serve the coaches and staff.
- Work on Administrative aspects of equipment staff within the department including:  
Communication skills with all employees, Professional skills while working with outside vendors.

#### Facility Operations Unit

- Maintain daily and/or weekly communication with head coaches and/or coaching staffs for each sport, especially sports currently in season - facility improvements, facility repairs and game operations.
- Develop an improved security plan for all athletic facilities - keys, locks, cameras, security officers' schedules, and facility lock down schedules.
- Thorough monitoring of department budget spending - needs vs. wants, 2011 fiscal budget items.
- Develop an end of season survey for coaches to fill out for evaluation of facilities department staff - facility comments, and game operations comments.
- Daily monitoring of ALL fields and facilities in and out of season use to maintain ultimate field and building conditions throughout the year and avoid major repair issues.

#### Information Technology Unit

- Reduce UH wireless bill by at least 6%. Currently averages about 10K per month with over 120 lines of service.
- Upgrade all supported workstations to at least Windows 7/Office 2007. Currently only about 20% of supported workstations are Windows 7. Paciolan workstations in Ticket Office and Development are not yet supported in Windows 7.
- Migrate all groups within Athletics to a network storage server. Currently only Cougar Pride, Compliance, and Volleyball using server. This will make employees more efficient by consolidating UH owned data into one protected location.
- Refresh entire AAF to CAT6 cabling.

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- Publish internal website for Athletics technical notes, FAQ's, and other items of interest.
- Develop procedures manual for ACE lab. Manual will cover everything from laptop checkout to opening and closing the lab.
- Document and develop an IT support policy covering response times, hours, and how to initiate service calls. If things get any busier I might have to use some sort of helpdesk software and assign ticket numbers. I prefer not to take this additional step.
- Establish a written mobile device use and support policy document. Within this document I will cover security, use, replacement and upgrade procedures, lost and stolen event instructions.

UNIVERSITY OF HOUSTON SYSTEM  
BOARD OF REGENTS AGENDA

COMMITTEE:

ITEM: Annual Report regarding Sponsored Research Comparison by Funding Source, Fiscal Year 2010 and a presentation on the research of Dr. Venkat Selvamanickam.

DATE PREVIOUSLY SUBMITTED: 07/2010

SUMMARY:

The Board of Regents will receive the Annual Report reviewing Sponsored Research Comparison by Funding Source; Fiscal Year 2010. In addition Dr. Venkat Selvamanickam will make a presentation on his superconductivity research.

SUPPORTING  
DOCUMENTATION:

Annual Report of Sponsored Research Comparison by Funding Source; Fiscal Year 2010.

FISCAL NOTE: None

RECOMMENDATION/  
ACTION REQUESTED: Information

COMPONENT: University of Houston System

PRESIDENT

DATE

INTERIM VICE CHANCELLOR

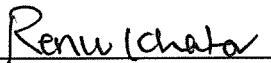
Stuart Long

DATE

CHANCELLOR

Renu Khator

DATE



11-3-10

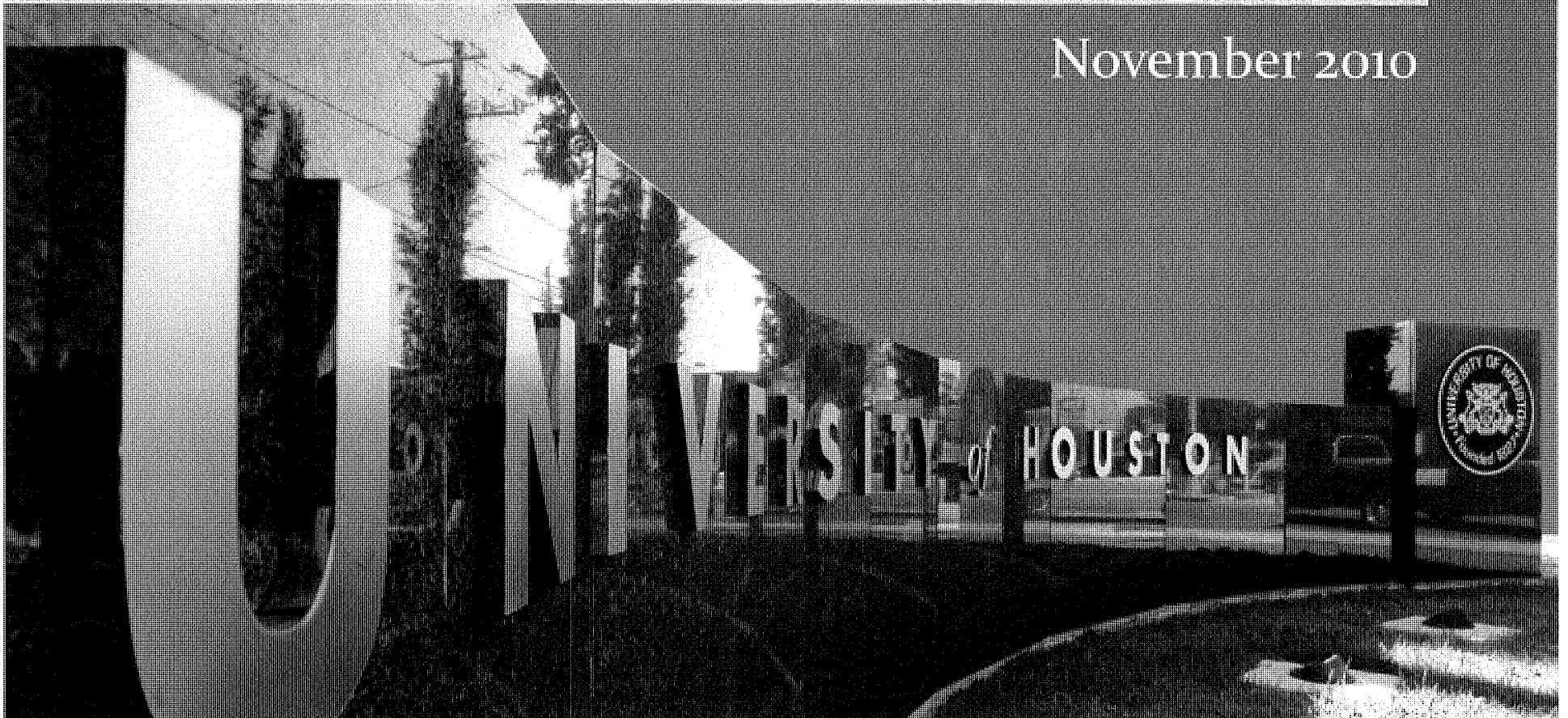
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Board of Regents

**DIVISION OF RESEARCH**

November 2010



# UH System Award Summary

**FY 2010**

cumulative for

UH

UH Downtown

UH Clear Lake

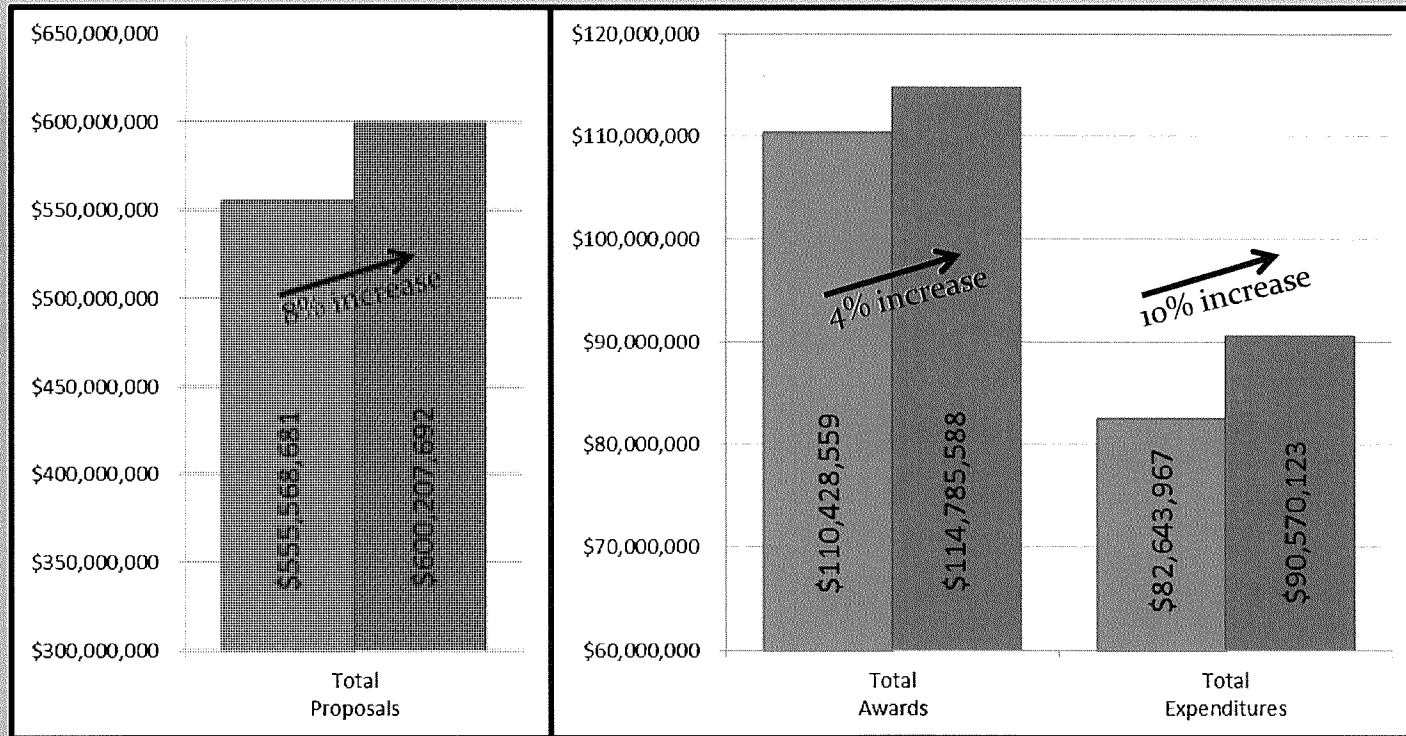
UH Victoria

Total awards in FY 2010 were \$124.0 million, an increase of 6 percent from \$117.5 million in FY 2009.

In FY 2010, federal awards amounted to \$89.2 million and state awards to \$14.9 million. Other awards amounted to \$20.0 million.



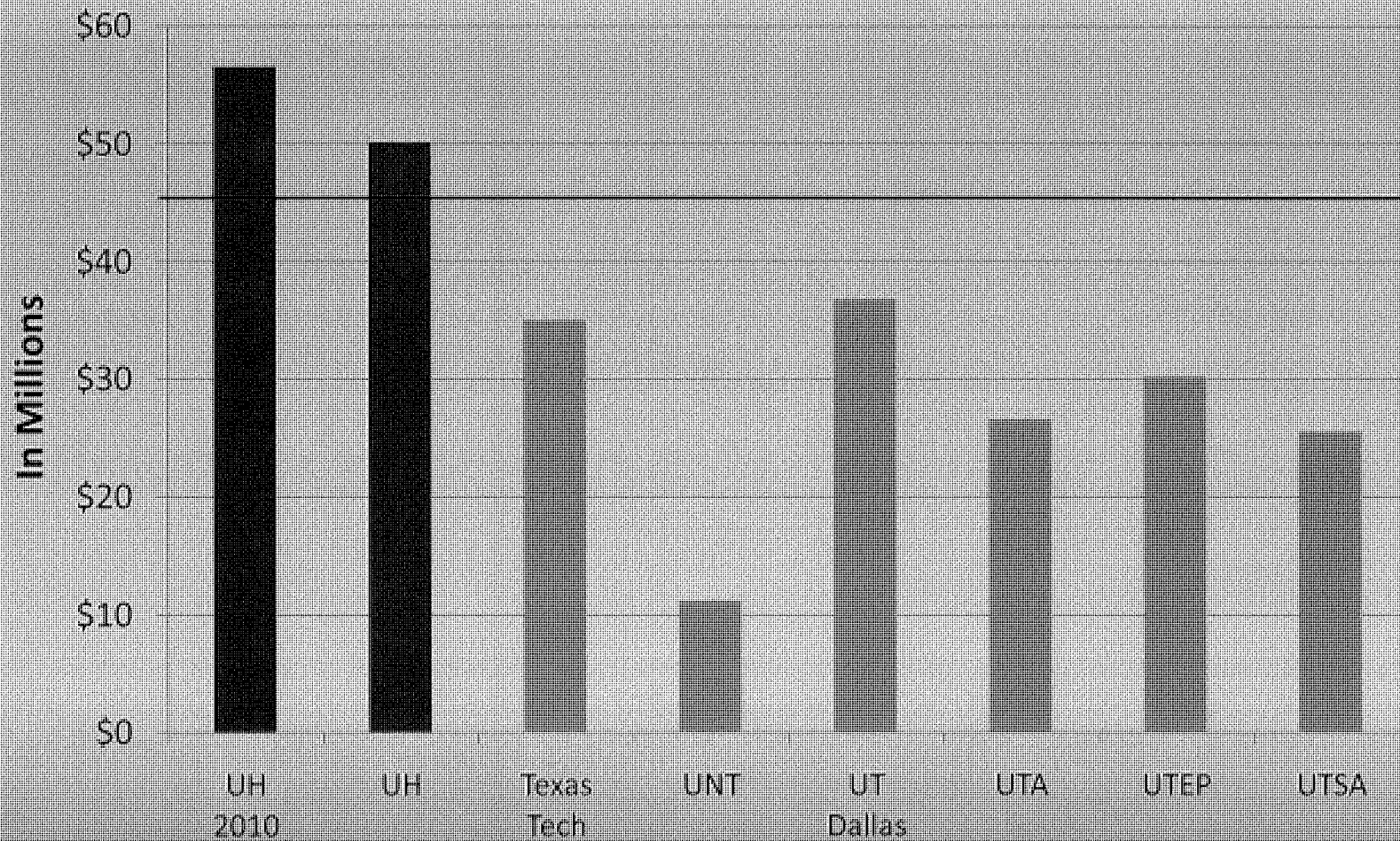
# Proposals, Awards and Expenditures



■ FY 2009    ■ FY 2010

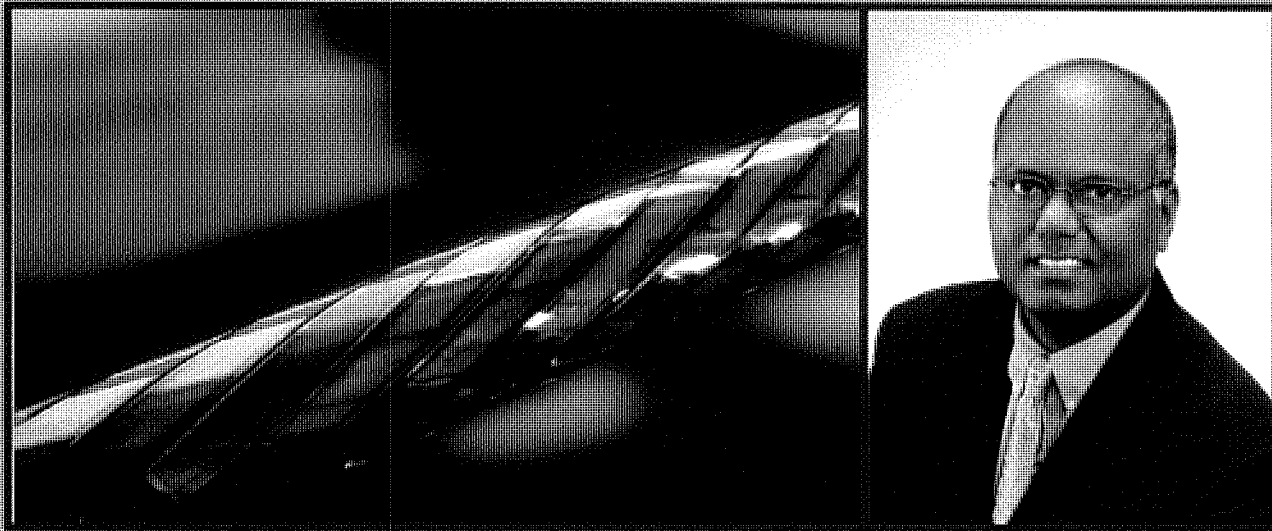
# Moving toward Tier One

FY 2009 Restricted Research Expenditures





# Venkat Selvamanickam



Texas Center for Superconductivity (TcSUH)  
Applied Research Hub  
Emerging Technology Fund

**UNIVERSITY OF HOUSTON**  
 Division of Research  
**Sponsored Research Comparison by Funding Source**  
**Fiscal Year 2010**

**Award Activity Summary**

Funding Source	UH FY 2010	Downtown FY 2010	Clear Lake FY 2010	Victoria FY 2010	UH SYSTEM TOTAL FY 2010
<b>FEDERAL AGENCIES</b>	<b>83,514,616</b>	<b>2,549,932</b>	<b>3,043,964</b>	<b>90,036</b>	<b>89,198,548</b>
FY 2009	63,790,738	2,274,459	1,780,055	107,438	67,952,690
<b>STATE AGENCIES</b>	<b>13,056,834</b>	<b>113,960</b>	<b>353,485</b>	<b>1,344,134</b>	<b>14,868,413</b>
FY 2009	22,459,702	46,900	281,648	543,607	23,331,857
<b>PRIVATE AGENCIES <sup>1</sup></b>	<b>16,998,255</b>	<b>61,400</b>	<b>80,739</b>	<b>0</b>	<b>17,140,394</b>
FY 2009	23,215,699	45,000	200,000	0	23,460,699
<b>OTHER AGENCIES <sup>2</sup></b>	<b>1,215,883</b>	<b>40,000</b>	<b>130,242</b>	<b>1,424,905</b>	<b>2,811,030</b>
FY 2009	962,420	114,150	61,564	1,635,142	2,773,276
<b>CAMPUS TOTAL</b>	<b>114,785,588</b>	<b>2,765,292</b>	<b>3,608,430</b>	<b>2,859,075</b>	<b>124,018,385</b>
FY 2009	110,428,559	2,480,509	2,323,267	2,286,187	117,518,522

<sup>1</sup> PRIVATE AGENCIES consist of Private for Profit agencies, Private Non-Profit agencies and Foundations

<sup>2</sup> OTHER consists of Local Government agencies and Universities

UNIVERSITY OF HOUSTON									
Division of Research									
Sponsored Research Comparison by College - UH									
Proposals - Fiscal Year 2010									
PROPOSALS									
College	Federal			Non-Federal			Total Proposals		
	FY 2009	FY 2010	% Ch	FY 2009	FY 2010	% Ch	FY 2009	FY 2010	% Ch
Architecture	25,000	4,039,085	16056%	97,000	-	-100%	122,000	4,039,085	3211%
Business	7,422,958	2,544,471	-66%	-	-	0%	7,422,958	2,544,471	-66%
Education	9,634,053	10,593,226	10%	5,001,215	4,531,847	-9%	14,635,268	15,125,073	3%
Engineering	119,116,707	70,721,250	-41%	32,380,367	47,175,869	46%	151,497,074	117,897,119	-22%
Hotel/Restaurant	-	560,802	100%	204,050	494,368	142%	204,050	1,055,170	417%
Liberal Arts/Social Sciences	46,716,311	62,766,941	34%	21,060,583	41,176,364	96%	67,776,894	103,943,304	53%
Law	2,546,041	-	-100%	1,135,034	493,205	-57%	3,681,075	493,205	-87%
NSM	149,863,226	140,238,983	-6%	57,046,734	92,880,324	63%	206,909,960	233,119,307	13%
Optometry	18,470,417	8,809,298	-52%	1,156,236	3,186,218	176%	19,626,653	11,995,516	-39%
Pharmacy	29,075,673	33,335,316	15%	7,378,202	15,629,947	112%	36,453,875	48,965,262	34%
Social Work	8,214,513	2,493,681	-70%	3,332,068	3,940,403	18%	11,546,581	6,434,084	-44%
Technology	15,855,948	18,005,801	14%	5,924,758	13,033,896	120%	21,780,706	31,039,697	43%
Other	7,902,002	19,849,946	151%	6,009,586	3,706,452	-38%	13,911,588	23,556,399	69%
<b>TOTAL</b>	<b>414,842,849</b>	<b>373,958,800</b>	<b>-10%</b>	<b>140,725,833</b>	<b>226,248,892</b>	<b>61%</b>	<b>555,568,681</b>	<b>600,207,692</b>	<b>8%</b>

**UNIVERSITY OF HOUSTON**

Division of Research

**Sponsored Research Comparison by College - UH**

**Awards - Fiscal Year 2010**

**AWARDS**

College	Federal			Non-Federal			Total Awards		
	FY 2009	FY 2010	% Ch	FY 2009	FY 2010	% Ch	FY 2009	FY 2010	% Ch
	<b>Architecture</b>	20,000	-	-100%	64,750	24,750	-62%	84,750	24,750
<b>Business</b>	6,072,855	4,032,878	-34%	-	-	0%	6,072,855	4,032,878	-34%
<b>Education</b>	1,482,511	1,739,579	17%	4,077,573	579,352	-86%	5,560,084	2,318,931	-58%
<b>Engineering</b>	13,605,428	23,018,880	69%	12,895,722	6,971,669	-46%	26,501,150	29,990,549	13%
<b>Hotel/Restaurant</b>	60,000	70,000	17%	9,048	82,548	812%	69,048	152,548	121%
<b>Liberal Arts/Social Sciences</b>	8,028,277	11,250,650	40%	6,513,141	3,186,921	-51%	14,541,418	14,437,571	-1%
<b>Law</b>	575,131	20,000	-97%	245,788	290,456	18%	820,919	310,456	-62%
<b>NSM</b>	20,458,563	25,881,530	27%	16,858,363	13,675,631	-19%	37,316,926	39,557,161	6%
<b>Optometry</b>	5,158,482	5,210,268	1%	576,895	894,606	55%	5,735,377	6,104,874	6%
<b>Pharmacy</b>	2,716,273	5,039,808	86%	1,198,733	959,306	-20%	3,915,006	5,999,114	53%
<b>Social Work</b>	3,329,598	2,831,164	-15%	854,672	870,528	2%	4,184,270	3,701,692	-12%
<b>Technology</b>	1,473,801	1,208,279	-18%	237,672	190,104	-20%	1,711,473	1,398,383	-18%
<b>Other</b>	809,819	3,211,580	297%	3,105,464	3,545,101	14%	3,915,283	6,756,681	73%
<b>TOTAL</b>	<b>63,790,738</b>	<b>83,514,616</b>	<b>31%</b>	<b>46,637,821</b>	<b>31,270,972</b>	<b>-33%</b>	<b>110,428,559</b>	<b>114,785,588</b>	<b>4%</b>



**UNIVERSITY OF HOUSTON**

Division of Research

**Sponsored Research Comparison by College - UH**

**Expenditures - Fiscal Year 2010**

**EXPENDITURES**

College	Direct Expenditure			IDC Recovery			Total Expenditures		
	FY 2009	FY 2010	% Ch	FY 2009	FY 2010	% Ch	FY 2009	FY 2010	% Ch
	<b>Architecture</b>	40,164	38,108	-5%	11,940	-	-100%	52,104	38,108
<b>Business</b>	2,651,494	3,116,912	18%	118,263	138,257	17%	2,769,757	3,255,169	18%
<b>Education</b>	2,391,931	2,097,513	-12%	212,690	121,108	-43%	2,604,621	2,218,621	-15%
<b>Engineering</b>	17,354,682	15,376,608	-11%	3,235,637	3,555,590	10%	20,590,319	18,932,198	-8%
<b>Hotel/Restaurant</b>	16,058	88,084	449%	3,515	17,617	401%	19,573	105,701	440%
<b>Liberal Arts/Social Sciences</b>	12,429,450	12,485,380	0%	1,843,186	1,940,664	5%	14,272,636	14,426,044	1%
<b>Law</b>	143,547	356,612	148%	39,953	73,749	85%	183,500	430,361	135%
<b>NSM</b>	21,668,011	27,096,307	25%	4,349,240	6,074,971	40%	26,017,251	33,171,278	27%
<b>Optometry</b>	3,424,807	4,262,852	24%	1,093,025	1,431,438	31%	4,517,832	5,694,290	26%
<b>Pharmacy</b>	2,654,142	3,164,229	19%	763,048	1,078,780	41%	3,417,190	4,243,009	24%
<b>Social Work</b>	2,671,987	2,836,322	6%	535,629	588,454	10%	3,207,616	3,424,776	7%
<b>Technology</b>	1,281,422	1,151,050	-10%	286,626	195,520	-32%	1,568,048	1,346,570	-14%
<b>Other</b>	3,319,367	3,175,514	-4%	104,153	108,484	4%	3,423,520	3,283,998	-4%
<b>TOTAL</b>	<b>70,047,062</b>	<b>75,245,491</b>	<b>7%</b>	<b>12,596,905</b>	<b>15,324,632</b>	<b>22%</b>	<b>82,643,967</b>	<b>90,570,123</b>	<b>10%</b>

Activity is reported by Faculty Home Department, not by credit splits. For example, if a proposal is split 50-50 between an Investigator's Home Department and a Center, this report will show you one full proposal credited to his/her Home Department as research activity.

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

**COMMITTEE:**

**ITEM:** Presentation by University of Houston Faculty Senate President, Dr. Mark Clarke on Faculty Senate Activities and by Dr. Philip Lyons, University of Houston-Downtown Faculty Senate President on UHD's Faculty Senate Activities and Initiatives – University of Houston System

**DATE PREVIOUSLY SUBMITTED:**

**SUMMARY:**

University of Houston Faculty Senate President, Dr. Mark Clarke, will give comments regarding Faculty Senate activities and Dr. Philip Lyons, University of Houston-Downtown Faculty Senate President, will address UHD's Faculty Senate's current affairs.

**SUPPORTING DOCUMENTATION:** None

**FISCAL NOTE:** N/A

**RECOMMENDATION/  
ACTION REQUESTED:** Information

**COMPONENT:** University of Houston-Downtown and University of Houston

\_\_\_\_\_  
**PRESIDENT**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**SENIOR VICE CHANCELLOR**

John Antel

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**CHANCELLOR**

Renu Khator

\_\_\_\_\_  
**DATE**

*[Handwritten signature of Renu Khator]*

*11/2/10*  
*11-3-10*