

## CHAPTER 15. NATIONAL RESEARCH UNIVERSITIES

### SUBCHAPTER A. General Provisions

#### Section

15.1. Definitions

~~[15.2 Authority]~~

15.10 Texas Research Incentive Program (TRIP)

15.1. Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Commissioner--The Commissioner of Higher Education; as used in this subchapter, "Commissioner" means the agency acting through its executive, and his or her designees, staff, or agents.

(2) Coordinating Board ~~or Board~~--The Texas Higher Education Coordinating Board.

~~[(3) Date of certification--The date the gift was deposited by the institution in a depository bank or invested by the institution as authorized by law. A non-cash gift must be certified as the date the gift is converted to cash, and is considered to have been received on that date. The date of certification must be September 1, 2009 or later.]~~

~~[(4) Eligible funds--Certified gifts for current use or endowment from private sources in a state fiscal year for the purpose of enhancing research activities at the institution, including a gift or endowment for endowed chairs, professorships, research facilities, research equipment, program costs, or graduate research stipends or fellowships.]~~

~~[(5) Eligible public institution--An institution of higher education designated as an emerging research university under the Coordinating Board's Accountability System.]~~

~~[(6) Gift--Including cash, cash equivalents, marketable securities, closely held securities, money market holdings, partnership interests, personal property, real property, minerals, and life insurance proceeds.]~~

~~[(7) Ineligible funds--A gift for undergraduate scholarships or grants, or any portion in excess of \$10 million of gifts or endowments received from a single source in a state fiscal year.]~~

~~[(8) Institution of higher education--As defined in Texas Education Code, §61.003.]~~

~~[(9) Private sources--Any individual or entity that cannot levy taxes, and is not directly supported by tax funds.]~~

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~~[(10) Program—The Texas Research Incentive Program.]~~

~~[(11) University Associated Entity—Is an entity that exists to support the university.]~~

~~15.2. Authority~~

~~[(a) Texas Education Code, §62.122, establishes the Texas Research Incentive Program to provide matching funds to assist eligible public institutions in leveraging private gifts for the enhancement of research productivity and faculty recruitment.]~~

~~[(b) Texas Education Code, §62.123, establishes the rate of matching and authorizes the Board, to establish procedures for the certification of gifts.]~~

~~[(c) Texas Education Code, §62.124, authorizes the Board, to adopt rules for the administration of the program.]~~

15.10. Texas Research Initiative Program (TRIP)

(a) Purpose. The purpose of this program is to provide matching funds to assist eligible public institutions in leveraging private gifts for the enhancement of research productivity and faculty recruitment.

(b) Authority

(1) Texas Education Code, §62.122, establishes the Texas Research Incentive Program to provide matching funds to assist eligible public institutions in leveraging private gifts for the enhancement of research productivity and faculty recruitment.

(2) Texas Education Code, §62.123, establishes the rate of matching and authorizes the Board, to establish procedures for the certification of gifts.

(3) Texas Education Code, §62.124, authorizes the Board, to adopt rules for the administration of the program.

(c) Definitions

(1) Bundled Gifts--Gifts that would otherwise be an eligible gift, but that individually do not have sufficient monetary value to be eligible for Matching Grants, that are combined by the eligible public institution in an attempt to establish eligibility for Matching Grants.

(2) Date of certification--The date the gift was deposited by the institution in a depository bank or invested by the institution as authorized by law. A non-cash gift shall be certified as the date the gift is converted to cash, and is considered to have been received on that date.

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(3) Eligible funds--Gifts or endowments certified on or after September 1, 2009, to an eligible public institution from private sources in a state fiscal year for the purpose of enhancing research activities at the institution, including a gift or endowment for endowed chairs, professorships, research facilities, research equipment, program costs, or graduate research stipends or fellowships. Including gifts that are bundled from a private source. All gifts, cash and non-cash, must have been originally donated for research purposes.

(4) Eligible public institution--An institution of higher education designated as an emerging research university under the Coordinating Board's Accountability System or a university affiliated entity of an emerging research university.

(5) Gift--Including cash, cash equivalents, marketable securities, closely held securities, money market holdings, partnership interests, personal property, real property, minerals, and life insurance proceeds.

(6) Ineligible funds--A gift for undergraduate scholarships or grants, bundled gifts, or any portion in excess of \$10 million of gifts or endowments received from a single source in a state fiscal year or gifts that are bundled by an universities-associated entity.

(7) Private sources--Any individual or entity that cannot levy taxes, and is not directly supported by tax funds.

(8) Program--The Texas Research Incentive Program (TRIP) established under Texas Education Code, Chapter 62, Subchapter G.

(9) University-affiliated entity--An entity whose sole purpose is to support the mission or programs of university.

~~(d)~~ Matching Grants. Eligible funds will be matched at the following rates:

- (1) 50 percent of the amount if the ~~[total]~~ amount of a gift ~~[gifts and]~~ or endowment ~~[endowments]~~ made by a donor on a certain date is ~~[are]~~ at least \$100,000, but not more than \$999,999;
- (2) 75 percent of the amount if the ~~[total]~~ amount of a gift ~~[gifts and]~~ or endowment ~~[endowments are]~~ made by a donor on a certain date is at least \$1 million but not more than \$1,999,999; or
- (3) 100 percent of the amount if the ~~[total]~~ amount of a gift ~~[gifts and]~~ or endowment ~~[endowments are]~~ made by a donor on a certain date is \$2 million ~~[or more]~~ but not more than \$10 million.

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~~(e)~~ Distribution of matching grants funds

- (1) Matching grants funds will be distributed in order of the their date of certification of the eligible funds.
- (2) All eligible funds with the same date of certification will be considered in a block.
- (3) If there are insufficient funds to match eligible funds gifts with the same date of certification, those eligible funds gifts will be prorated and any remaining unmatched eligible funds gifts shall be eligible for matching grants funds in the following fiscal years using funds appropriated to the program, to the extent funds are available.

~~(f)~~ Certification. Any gift must be certified by the Board in order to be considered eligible for Matching Grants. In order for the Board to certify a gift to be certified, the eligible public institution must submit the following information to the Board for any gift to be considered eligible]:

- (1) A bank certification written statement by the bank verifying showing the amount, and date of the deposit, and name of the donor; or a credit card certification showing the date the institution submitted a charge to the donor's credit card company for payment;
- (2) A copy of the fully executed copy of the donor agreement describing the purpose and the restrictions of the gift to meeting meet the definition of eligible funds; and
- (3) All information must be provided to the Coordinating Board within 30 days of the date of bank or credit card verification certification].

~~(g)~~ Eligible public institutions Institutions shall will provide a complete list of all university-affiliated university-associated entities to the Board upon initial application for matching grants and thereafter apprise the Board of any updates to the submitted list.