



TABLE OF CONTENTS FOR MEETING OF THE BOARD

Board Meeting: 2/8-9/2006
Austin, Texas

WEDNESDAY, FEBRUARY 8

COMMITTEE MEETINGS

Audit, Compliance, and Management Review Committee	9:00 a.m.
Joint Meeting of the Audit, Compliance, and Management Review Committee and the Finance and Planning Committee	9:30 a.m.
Finance and Planning Committee	10:30 a.m.

BOARD MEETING

A. CONVENE IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, CHAPTER 551 (working lunch)	11:30 a.m. Chairman Huffines
1. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071	
a. U. T. Medical Branch – Galveston: Legal issues related to compliance	Mr. Burgdorf
b. U. T. Health Center – Tyler: Legal issues related to operations	Mr. Burgdorf
c. U. T. System: Discussion with counsel of pending legal issues	Mr. Burgdorf
2. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072	
U. T. Southwestern Medical Center - Dallas: Authorization to ground lease approximately five acres of land located at 2232 Inwood Road, in Dallas, Dallas County, Texas, to Spaulding & Slye LLC, or a single purpose entity created by Spaulding & Slye LLC or its parent company, for the development of the first building in a planned multi-tenant biomedical research park	President Wildenthal Mr. Roan Ms. Mayne
3. Negotiated Contracts for Prospective Gifts or Donations – Section 551.073	
a. U. T. Health Science Center – Houston: Discussion and appropriate action regarding a negotiated gift feature involving a naming opportunity	Dr. Safady
b. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding a negotiated gift involving a naming opportunity	Dr. Safady

	Board/Committee Meetings	Page
4. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074		
U. T. System: Consideration of individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents and institutional employees, and U. T. System officers and employees		
B. RECONVENE IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS AND TO CONSIDER AN AGENDA ITEM	<i>1:30 p.m.</i>	
U. T. System Board of Regents: Presentation of the Accountability and Performance Report for 2005-2006 and request to accept Report	<i>2:00 p.m.</i> Action <i>Dr. Malandra</i>	1
C. RECESS FOR COMMITTEE MEETINGS	<i>2:30 p.m.</i>	
COMMITTEE MEETINGS		
Facilities Planning and Construction Committee	<i>2:30 p.m.</i>	
Health Affairs Committee	<i>3:30 p.m.</i>	
Academic Affairs Committee	<i>4:30 p.m.</i>	
<u>THURSDAY, FEBRUARY 9</u>		
COMMITTEE MEETING		
Student, Faculty, and Staff Campus Life Committee	<i>9:00 a.m.</i>	
BOARD MEETING		
D. RECONVENE MEETING OF THE BOARD IN OPEN SESSION	<i>10:00 a.m.</i>	
E. APPROVAL OF MINUTES	<i>10:05 a.m.</i>	
F. CONSIDER AGENDA ITEMS		
1. U. T. System Board of Regents: Certificate of appreciation to former President Larry R. Faulkner and recommended appointment as President Emeritus	<i>10:10 a.m.</i> Action	2
2. U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Series 31101, regarding evaluation of administrators	<i>10:30 a.m.</i> Action	4
3. U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Series 60101, related to gifts of art to include statuary depicting living persons	<i>10:35 a.m.</i> Action	6
4. U. T. System Board of Regents: Approval of composition of the Audit and Ethics Committee of The University of Texas Investment Management Company (UTIMCO)	<i>10:40 a.m.</i> Action	7

	Board/Committee Meetings	Page
5. U. T. System: Overview of Institute for Public School Initiatives featuring new initiatives including the Texas College Money Program	<i>10:50 a.m.</i> Report <i>Dr. Walne</i> <i>Mr. Matt Orem</i> <i>Dr. Larry Burt</i>	7
G. RECESS FOR MEETINGS OF THE STANDING COMMITTEES AND COMMITTEE REPORTS TO THE BOARD	<i>11:10 a.m.</i>	
H. RECONVENE AS COMMITTEE OF THE WHOLE		
I. CONSIDER RESOLUTION ON GRADUATION RATES	<i>11:45 a.m.</i>	78
J. ADJOURN	<i>12:00 Noon</i> <i>approximately</i>	

WEDNESDAY, FEBRUARY 8

A. RECESS TO EXECUTIVE SESSION

(See Table of Contents Pages i - ii for Agenda Items)

B. RECONVENE IN OPEN SESSION FOR ACTION ON EXECUTIVE SESSION ITEMS, IF ANY, AND TO CONSIDER AN AGENDA ITEM

U. T. System Board of Regents: Presentation of the Accountability and Performance Report for 2005-2006 and request to accept Report

RECOMMENDATION

Dr. Geri H. Malandra, Associate Vice Chancellor for Institutional Planning and Accountability, will present the U. T. System Board of Regents' Accountability and Performance Report for 2005-2006 following the PowerPoint presentation attached on Pages 1 - 14 of the Supplemental Materials (Volume 2) of the Agenda Book. Following the presentation, the Board will be asked to accept the Report.

The Report, separately bound in a blue notebook, was mailed to the Board with this Agenda Book. Highlights of the Report may be found on the pages following the Highlights tab in the Report.

Additional copies of the Report will be available at the meeting.

C. RECESS FOR COMMITTEE MEETINGS

THURSDAY, FEBRUARY 9

D. RECONVENE IN OPEN SESSION

E. APPROVAL OF MINUTES

F. CONSIDER AGENDA ITEMS

1. **U. T. System Board of Regents: Certificate of appreciation to former President Larry R. Faulkner and recommended appointment as President Emeritus**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Powers that authorization be granted to appoint former President Larry R. Faulkner as President Emeritus at U. T. Austin. Approval of this recommendation is being requested in accordance with the Regents' *Rules and Regulations*, Series 20301, relating to honorary titles.

BACKGROUND INFORMATION

Dr. Faulkner served with distinction as President of U. T. Austin from April 13, 1998 through January 31, 2006. Under Dr. Faulkner's leadership, U. T. Austin has enhanced its national and international stature in the academic and research arenas and has provided unprecedented service to its many constituents and communities.

Dr. Faulkner led a highly successful capital campaign that raised more than \$1.6 billion. Total fund raising during his years as President approach \$2 billion. He has given more than 400 speeches annually as head of the University and chartered the Commission of 125, a group of citizens who worked for two years to create a citizens' vision of the University's next 25 years.

Other significant achievements have included development of the Jack S. Blanton Museum of Art, acquisition of the world-renowned Suida-Manning Collection of European paintings and drawings, and the Woodward-Bernstein Watergate archive. He established an innovative scholarship program that has helped to increase U. T. Austin's minority student enrollment during his tenure and set new highs for success among students (93 percent retention rate for freshmen, and 74 percent six-year graduation rate). He brought UTOPIA into use as an innovative tool for taking the University's intellectual and cultural assets to the public in a more effective way.

Under President Faulkner's leadership, U. T. Austin implemented an extensive network of services that support the University community, serving as a catalyst for positive change in Texas and beyond. The University's efforts to improve K-12 education include ongoing formal academic and outreach programs; special initiatives by a wide variety of academic, research, and administrative units, including operation of the U. T. Elementary Charter School; and volunteer activities of student organizations and individuals.

Some additional major accomplishments of Dr. Faulkner's administration are:

- Charged a Task Force on Curricular Reform with developing a plan for revision of the undergraduate curriculum.
- Created effective consultative process for proposing, debating, revising, and advancing recommendation on tuition.
- Introduced a holistic admissions process that takes into account many student background variables in the admissions process.
- Led effort to establish Texas-wide consortium to build and operate high-performance data networks for research and education.
- Established Department of Biomedical Engineering, Institute on Nanostructures and Nanomaterials, the Institute for the Humanities, the South Asia Institute, the University of Texas Film Initiative, the John A. and Katherine G. Jackson School of Geosciences, the Evening MBA program, and the National Center for Educational Accountability (NCEA).
- Completed Applied Computational Engineering and Sciences (ACES) Building; Connally Wing and Jamail Atrium at School of Law; San Jacinto Hall, the first new dormitory in 30 years; restored historic Dorothy Gebauer Building; built a new garage on the north side of campus; dedicated the Sarah M. and Charles E. Seay Building; completed and dedicated John A. and Katherine G. Jackson Geological Sciences Building; and reopened the Harry Ransom Humanities Research Center after a renovation project that brought its collections more effectively before the public.
- Reopened observation deck of the Tower in observance of the University's 116th birthday.
- Dedicated Martin Luther King, Jr., statue on the East Mall.

2. **U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Series 31101, regarding evaluation of administrators**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Series 31101, regarding evaluation of administrators, be amended as set forth in congressional style on Page 5.

BACKGROUND INFORMATION

Changes in the evaluation process for academic administrators proposed will formalize the current process to require review by an appointed committee and to assure that a copy of each review report is sent to the appropriate Executive Vice Chancellor.

The proposed changes have been reviewed by the presidents and by the Faculty Advisory Council.

1. Title

Evaluation of Administrators

2. Rule and Regulation

Sec. 1 President's Evaluation. Evaluation of the president of each institution is primarily the responsibility of the appropriate Executive Vice Chancellor and shall occur annually.

Sec. 2 President's Responsibility. Subject to the requirements of Series 31102 of the Regents' *Rules and Regulations* concerning the evaluation of tenured faculty and Section 3 of this Series, the evaluation of the vice presidents and deans is primarily the responsibility of the president or delegate.

Sec. 3 Administrative Evaluations. Each academic administrator below the level of president of an ~~component~~ institution should be reviewed at least every six years. A committee appointed by the President or Provost of the institution shall conduct the review. A written report will contain the substance of the review.

3.1 Development of Policies. The institutional Academic Senate or other representative faculty body should be consulted in the development of the review policies and procedures.

3.2 The review shall be comprehensive and include input from faculty, staff, and students, and where appropriate alumni, community leaders, and other sources as identified in the charge to the committee from the President or Provost.

~~3.32 Faculty Input.~~ A summary of the report will ~~faculty input, to~~ be provided to the administrator under review and to the administrator's supervisor. The written report will be made available to the Executive Vice Chancellor for the campus, ~~should constitute a significant component of the evaluation report.~~

~~3.3 Involvement by Staff and Students.~~ The U. T. System Administration also recognizes and supports comparable involvement by staff members and students, as is now the practice for evaluation of academic administrators at several U. T. System component institutions.

.....

3. **U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Series 60101, related to gifts of art to include statuary depicting living persons**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Counsel and Secretary to the Board, the Vice Chancellor and General Counsel, and the Vice Chancellor for External Relations that the Regents' *Rules and Regulations*, Series 60101, related to gifts of art, be amended to add a new Section 3 to include statuary depicting living persons as set forth below in congressional style and to renumber remaining Sections:

2. Rule and Regulation

...

Sec. 2 Gifts Requiring Board Approval. All conforming gifts, including pledges, having a value of more than \$1,000,000 (in cash or in-kind) must be submitted to the Board of Regents for approval via the Docket, except those processed or administered by the Office of External Relations.

Sec. 3 Gifts of Art

32.1 Outdoor Works of Art. Approval by the Board is also required prior to the acceptance of a gift of an outdoor work of art. Considerations will include appropriateness with regard to the institution's Campus Master Plan and expense related to installation and/or continuing maintenance.

3.2 Gifts of Statuary Depicting Living Persons. No gift of statuary depicting a living person shall be accepted by an institution, unless intended for display in a museum or for addition to the collection of works of art for display in a museum. Proposed gifts of statuary intended for outdoor display require approval under Section 3.1 above; authority to accept proposed museum gifts of statuary depicting living persons, intended for display indoors, is delegated to the presidents.

.....

BACKGROUND INFORMATION

This amendment to the Regents' *Rules and Regulations* is proposed to clarify the procedure for acceptance of gifts of statuary proposed to honor living individuals.

4. **U. T. System Board of Regents: Approval of composition of the Audit and Ethics Committee of The University of Texas Investment Management Company (UTIMCO)**

RECOMMENDATION

The University of Texas Investment Management Company (UTIMCO) Board of Directors recommends that the U. T. System Board of Regents approve appointments to the Audit and Ethics Committee of the UTIMCO Board of Directors as follows:

Mr. Erle Nye (Chair)
Mr. Woody L. Hunt
Mr. Robert B. Rowling

BACKGROUND INFORMATION

Section 66.08 of the *Texas Government Code* requires that the U. T. System Board of Regents approve the appointment of members of the Audit and Ethics Committee of the Board of Directors of UTIMCO. The Board of Directors of UTIMCO recommended these appointments at their meeting on November 16, 2005, conditional on the approval of the U. T. System Board of Regents.

Mr. Hunt, Mr. Nye, and Mr. Rowling have previously served on the Audit and Ethics Committee, as approved by the Board of Regents on March 10, 2005. Following a short break in service on the UTIMCO Board, Mr. Hunt was appointed as an external Director on November 10, 2005.

5. **U. T. System: Overview of Institute for Public School Initiatives featuring new initiatives including the Texas College Money Program**

REPORT

Dr. Marina Ballantyne Walne, Executive Director for the U. T. System Institute for Public School Initiatives, will provide an overview of the Institute featuring new initiatives including the Texas College Money Program. She will be joined by Mr. Matt Orem, Program Coordinator for College Access Initiatives at U. T. System, and Dr. Larry Burt, Associate Vice President for Student Affairs at U. T. Austin.

A PowerPoint presentation is attached on Pages 15 – 22a of the Supplemental Materials (Volume 2) of the Agenda Book.

G. RECESS FOR MEETINGS OF THE STANDING COMMITTEES AND COMMITTEE REPORTS TO THE BOARD

The Standing Committees of the Board of Regents of The University of Texas System will meet as set forth below to consider recommendations on those matters on the agenda for each Committee listed in the Agenda Book. At the conclusion of the Standing Committee meetings, the report of that Committee will be formally presented to the Board for consideration and action.

Audit, Compliance, and Management Review Committee: Chairman Estrada
Agenda Book Page 9

Finance and Planning Committee: Chairman Rowling
Agenda Book Page 18

Academic Affairs Committee: Chairman Krier
Agenda Book Page 78

Health Affairs Committee: Chairman Clements
Agenda Book Page 93

Facilities Planning and Construction Committee: Chairman Barnhill
Agenda Book Page 100

H. RECONVENE AS COMMITTEE OF THE WHOLE

I. CONSIDER RESOLUTION ON GRADUATION RATES (Page 78)

J. ADJOURN