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May 11-12, 2011
Austin, Texas

Board Meeting

Wednesday, May 11, 2011

- A. CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551 (working lunch at noon) 8:00 a.m.
1. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074
 - a. **U. T. M. D. Anderson Cancer Center: Discussion of individual personnel matters related to presidential search**
 - b. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of U. T. System and institutional employees**
 - c. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions), U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors), other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive), and U. T. System and institutional employees**
 - d. **U. T. Austin: Discussion and appropriate action regarding compensation of Head Men’s Basketball Coach Richard D. Barnes (Regents’ *Rules and Regulations*, Rule 20204, regarding determining and documenting the reasonableness of compensation)**
 - e. **U. T. Medical Branch – Galveston: Discussion and appropriate action regarding individual personnel matters concerning contract for correctional managed care**
 2. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071
 - a. **U. T. System Board of Regents: Discussion with Counsel on pending legal issues**
 - b. **U. T. Medical Branch – Galveston: Discussion and appropriate action regarding legal issues concerning contract for correctional managed care**

Wednesday, May 11, 2011 (continued)

Board Meeting

- 3. Negotiated Contracts for Prospective Gifts or Donations –
Section 551.073
 - a. **U. T. Arlington: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features** *President Spaniolo
Dr. Safady*
 - b. **U. T. Dallas: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features** *President Daniel
Dr. Safady*
 - c. **U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features** *President Mendelsohn
Dr. Safady*

- 4. Deliberation Regarding Security Devices or Security Audits –
Section 551.076
 - U. T. System: Discussion and appropriate action concerning the deployment or specific occasions for implementation of security personnel or devices on U. T. System campuses** *Dr. Kelley
Mr. Michael Heidingsfield,
Director of Police, U. T.
System*

- B. RECONVENE IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS *3:30 p.m.*

- C. RECESS FOR COMMITTEE MEETING
 - Audit, Compliance, and Management Review Committee..... *4:00 p.m.*

- D. RECESS *5:00 p.m.*

Thursday, May 12, 2011

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E. RECONVENE THE BOARD IN OPEN SESSION	8:00 a.m.	
F. APPROVAL OF MINUTES		
G. CONSIDER AGENDA ITEMS		
1. U. T. System Board of Regents: Recognition of Mr. F. Stephen Hartmann, Executive Director of University Lands, on his retirement	8:05 a.m.	
2. U. T. System Board of Regents: Recognition of Mr. Philip Aldridge, Vice Chancellor for Finance and Business Development, for his service	8:10 a.m.	
3. U. T. System: Presentation and recommendations by Chancellor Cigarroa on <i>A Framework for Advancing Excellence throughout The University of Texas System</i>	8:15 a.m. Action <i>Chancellor Cigarroa</i>	1
4. U. T. System Board of Regents: Amendments to the Regents' <i>Rules and Regulations</i> , Rule 20601, regarding aircraft use	9:00 a.m. Action	2
5. U. T. System Board of Regents: Approval to adopt the resolution regarding the list of Key Management Personnel authorized to negotiate, execute, and administer classified government contracts (Managerial Group)	9:02 a.m. Action	4
6. U. T. System Board of Regents: Legislative Update for the 82nd Legislative Session	9:05 a.m. Report <i>Mr. McBee</i>	6
7. U. T. System Board of Regents: Status reports on the work of the Task Force on University Excellence and Productivity and the Task Force on Blended and Online Learning	9:15 a.m. Report <i>Regent Pejovich</i> <i>Regent Hall</i>	6
8. U. T. System: Annual Meeting with Officers of the U. T. System Student Advisory Council	9:35 a.m. Report <i>Mr. Straub</i>	8
9. U. T. System Board of Regents: Certificate of appreciation to Student Regent Kyle J. Kalkwarf	10:20 a.m.	

Thursday, May 12, 2011 (continued)

Board Meeting

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| H. RECESS FOR COMMITTEE MEETINGS | 10:25 a.m. |
| Academic Affairs Committee..... | 10:30 a.m. |
| Lunch..... | 12:00 p.m. |
| Health Affairs Committee..... | 12:30 p.m. |
| Finance and Planning Committee..... | 2:00 p.m. |
| Facilities Planning and Construction Committee..... | 3:00 p.m. |
| Technology Transfer and Research Committee..... | 4:00 p.m. |
| I. RECONVENE MEETING OF THE BOARD TO RECESS FOR
MEETINGS OF THE STANDING COMMITTEES AND COMMITTEE
REPORTS TO THE BOARD | 4:45 p.m. |
| J. ADJOURN | 5:00 p.m. |

3. **U. T. System: Presentation and recommendations by Chancellor Cigarroa on A Framework for Advancing Excellence throughout The University of Texas System**

REPORT/RECOMMENDATION

Chancellor Cigarroa will present an initiative aimed at facilitating advancements across the U. T. System that address a rapidly changing higher education environment, including demographics, technology, and funding models. The proposed framework is consistent with his 2010 Vision Statement presented to the Board of Regents on August 20, 2009, and will further advance the U. T. System as an institution of the first class. The Chancellor will recommend Board of Regents' action on his new goals and framework.

4. **U. T. System Board of Regents: Amendments to the Regents' *Rules and Regulations*, Rule 20601, regarding aircraft use**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Rule 20601, regarding aircraft use, be amended as set forth in congressional style on Page 3. Current Section 16 will be renumbered as Section 17.

BACKGROUND INFORMATION

Proposed substantive revisions to the Regents' *Rules and Regulations*, Rule 20601, are outlined below:

- a. Revisions to Section 15.1(b) include a requirement for biannual reports on passenger manifests for U. T. System aircraft, Texas Department of Transportation aircraft flown on behalf of U. T. System, and charter aircraft. For donor aircraft, passenger and donor names may be omitted, but will be verbally reported if asked.
- b. New Section 16 prohibits a U. T. System employee who has a private or commercial aircraft license from operating a leased or privately owned aircraft in conjunction with official university business unless specifically authorized.

1. Title

Aircraft Use

2. Rule and Regulation

...

Sec. 15 Record Keeping and Reports. The approved reservation requests forms and post-flight passenger manifests will serve as the official record of flights.

15.1 The U. T. System Office of Business Affairs shall prepare and submit the following reports:

(a) Travel Log. In accordance with *Texas Government Code* Section 2205.039 the passenger manifests for the month will be sent to the Texas Department of Transportation each month following the month in which travel occurred.

(b) Reports to the Board. Passenger manifests for U. T. System aircraft, Texas Department of Transportation aircraft flown on behalf of U. T. System, and information on any charters aircraft, including donor or chartered aircraft paid for by outside entities on behalf of the university, will be sent to the General Counsel to the Board of Regents twice a year in April and October ~~February and September~~ for distribution to the Finance and Planning Committee of the U. T. System Board of Regents for review. For donor aircraft, passenger and donor names may be omitted consistent with State law, but will be verbally reported if asked.

(c) Annual Aircraft Use Form. In accordance with *Texas Government Code* Section 2205.041, passenger manifests for the year and the aircraft costs summary will be submitted to the Legislative Budget Board with copies to the General Counsel to the Board of Regents and the Chancellor by November 15th.

Sec. 16 Leased and Privately Owned Aircraft. U. T. System employees holding a private or commercial aircraft license may not operate leased or privately owned aircraft in conjunction with official university business unless authorized by the Chancellor or his or her designee.

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5. **U. T. System Board of Regents: Approval to adopt the resolution regarding the list of Key Management Personnel authorized to negotiate, execute, and administer classified government contracts (Managerial Group)**

RECOMMENDATION

To comply with the Department of Defense National Industrial Security Program Operating Manual (NISPOM) requirements, it is recommended that the U. T. System Board of Regents resolve that

- a. the list of Key Management Personnel (KMP) authorized to negotiate, execute, and administer classified government contracts shall be known as the Managerial Group and shall specifically list each KMP by name and title as set out in a. below;
- b. the members of the Board of Regents, while KMPs, shall be excluded from the Managerial Group specifically by name and title as set out in b. below.

A Resolution amending the Managerial Group list was last adopted by the Board on May 13, 2010.

NISPOM defines KMP as "officers, directors, partners, regents or trustees." The manual requires that the senior management official and the Facility Security Officer must always be designated as part of the Managerial Group and be cleared at the level of the Facility Clearance. Other officials or KMPs, as determined by the Defense Security Service, must be granted Personal Security Clearances or be formally excluded by name from access to classified material.

BE IT RESOLVED:

- a. That those persons occupying the following positions at The University of Texas System and The University of Texas at Austin shall be known as the Managerial Group, having the authority and responsibility for the negotiating, execution, and administration of Department of Defense (DoD) or User Agency contracts, as described in DoD 5220.22-M, "National Industrial Security Program Operating Manual" (NISPOM):

Francisco G. Cigarroa, Chancellor, The University of Texas System
William C. Powers, Jr., President, The University of Texas at Austin
Juan Miguel Sanchez, Vice President for Research, The University of Texas at Austin
Susan W. Sedwick, Associate Vice President for Research and Director, Office of Sponsored Projects, The University of Texas at Austin
Neil S. Fox II, Facility Security Officer, The University of Texas System

The Chief Executive Officer (i.e., the Chancellor) and the members of the Managerial Group have been processed, or will be processed, for a personnel security clearance for access to classified information to the level of the facility security clearance granted to this institution, as provided for in the NISPOM.

The Managerial Group is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the DoD or User Agencies of the NISPOM awarded to U. T. System, including U. T. Austin.

- b. That the following named members of the U. T. System Board of Regents shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of U. T. System, including U. T. Austin, and do not occupy positions that would enable them to affect adversely the policies and practices of The University of Texas System, including The University of Texas at Austin, in the performance of classified contracts for the Department of Defense or User Agencies of the NISPOM, awarded to The University of Texas System, including The University of Texas at Austin, and need not be processed for a personnel security clearance:

Members of the U. T. System Board of Regents:

William Eugene Powell, Chairman

Paul L. Foster, Vice Chairman

R. Steven Hicks, Vice Chairman

James D. Dannenbaum, Vice Chairman

Alex M. Cranberg

Printice L. Gary

Wallace L. Hall, Jr.

Brenda Pejovich

Robert L. Stillwell

Kyle J. Kalkwarf, Student Regent until May 31, 2011 (nonvoting)

John Davis Rutkauskas, Student Regent from June 1, 2011 to May 31, 2012
(nonvoting)

6. **U. T. System Board of Regents: Legislative Update for the 82nd Legislative Session**

REPORT

Vice Chancellor McBee will report on highlights of the 82nd Texas Legislature, Regular Session.

7. **U. T. System Board of Regents: Status reports on the work of the Task Force on University Excellence and Productivity and the Task Force on Blended and Online Learning**

REPORT

Regent Pejovich will report on the work of the Task Force on University Excellence and Productivity.

Regent Hall will report on the work of the Task Force on Blended and Online Learning.

A summary description of the Task Forces Process is on Page 7.

Task Forces Process

Blended and Online Learning	University Excellence and Productivity
<p><u>Task Force Members</u></p> <ul style="list-style-type: none"> • Regent Wallace Hall, Chairman • Regent Printice Gary • Vice Chairman Steve Hicks • UT Arlington President James Spaniolo • UT El Paso President Diana Natalicio • UT San Antonio President Ricardo Romo • UT Austin Vice Provost of Higher Education Policy and Research Harrison Keller • Chairman Gene Powell, Chancellor Francisco G. Cigarroa, Executive Vice Chancellor for Academic Affairs David B. Prior and Student Regent Kyle Kalkwarf each serve as ex officio members of the task force. 	<p><u>Task Force Members</u></p> <ul style="list-style-type: none"> • Regent Brenda Pejovich, Chairman • Regent Alex Cranberg • Regent Bobby Stillwell • UT Dallas President David E. Daniel • UT Pan American President Robert Nelsen • UT Austin Executive Vice President and Provost Steve Leslie • Chairman Gene Powell, Chancellor Francisco G. Cigarroa, Executive Vice Chancellor for Academic Affairs David B. Prior, Executive Vice Chancellor for Business Affairs Scott C. Kelley, and Student Regent Kyle Kalkwarf serve as ex officio members of the task force.

The report of each task force will be written and edited by all members of the task force. Final reports, findings of fact, suggestions and any recommendations of the task forces will go to the Academic Affairs Committee of the Board.

The Academic Affairs Committee may handle in open session any suggestion or recommendation in one of the following ways:

1. Vote to recommend the suggestion or recommendation to the full Board.
2. Vote to modify the suggestion or recommendation to the full Board.
3. Vote to seek further research be done on the suggestion or recommendation.
4. Vote to table any suggestion or recommendation.

Academic Affairs Committee
<ul style="list-style-type: none"> • R. Steven "Steve" Hicks, Chairman • Robert L. Stillwell, Vice Chairman • Paul L. Foster • Wallace L. Hall, Jr. • Brenda Pejovich

The Board of Regents will consider in open session of the full Board any recommendation or suggestion that comes forward from the Academic Affairs Committee.

8. **U. T. System: Annual Meeting with Officers of the U. T. System Student Advisory Council**

REPORT

The U. T. System Student Advisory Council will meet with the Board of Regents to discuss accomplishments of the Council and plans for the future. The Council's recommendations are on Pages 10 - 24.

AGENDA

1. Executive and Standing Committee Member Introductions
2. Chairperson's Report and Overview
3. Executive Committee and Standing Committee Remarks and Recommendations

Council members scheduled to attend are:

Chair: Mr. Christof Straub, U. T. Medical Branch – Galveston, School of Medicine, Biomedical Sciences

Academic Affairs Committee: Ms. Chelsea Adler, U. T. Austin, Government/Social Work

Student Involvement and Campus Life Committee: Mr. Kortlan Porter, U. T. Tyler, Computer Science

Health and Graduate Affairs Committee: Ms. Samantha Dallefeld, U. T. Medical Branch – Galveston, School of Medicine, Third Year

Financial and Legislative Affairs Committee: Ms. Grace Bielawski, U. T. Dallas, School of Economic, Political and Policy Sciences, Political Science

BACKGROUND INFORMATION

The U. T. System Student Advisory Council was established in 1989 to provide input to the U. T. System Board of Regents working through and with the Chancellor and U. T. System Administration on issues of student concern. The operating guidelines of the Council require that recommendations have a multi-institutional focus and that the Council explore individual campus issues with institutional administrators prior to any consideration thereof. The Student Advisory Council consists of two student representatives from each U. T. System institution enrolling students, and meets three times yearly in Austin. The Standing Committees of the Council are: Academic Affairs, Student Involvement and Campus Life, Health and Graduate Affairs, and Financial and Legislative Affairs.



The University of Texas System

Nine Universities. Six Health Institutions. Unlimited Possibilities.

Office of Academic Affairs

601 Colorado Street, Austin, TX 78701
Phone: (512) 499-4233 Fax: (512) 499-4240

March 22, 2011

Francisco G. Cigarroa, M.D.
Chancellor
The University of Texas System
601 Colorado St.
Austin, TX 78701-2982

Dear Chancellor Cigarroa:

On behalf of the University of Texas System Student Advisory Council and the 202,240 students that we are privileged to represent, we would like to express our appreciation to the University of Texas System Board of Regents for providing us with the opportunity to present our recommendations for the 2010/2011 academic year.

Our purpose – to provide meaningful input from a student’s perspective – is taken extremely seriously by every single member of our council. Each member spends significant time, effort, and energy to represent students on their campuses, and collectively in the entire University of Texas System. Individual opinions and interests are largely set aside for the common goal of advancing recommendations that will positively impact students’ experiences in the many great universities in our System.

The council provides a platform unlike any other in our System for student leaders to meet and exchange ideas, and to collaborate on issues that have significant impact on most students in the System. The determination and dedication of this year’s council was noteworthy, as were the mutual respect among its members and their ability to collaborate.

Each of the council’s four committees was led by very effective chairs who have guided their committees to produce carefully researched and crafted recommendations. Along with this letter, we are submitting recommendations passed by the council during our March meeting. In addition, earlier this year, the council forwarded you resolutions in which we expressed opinions with respect to several legislative issues that will affect students in the University of Texas System. A copy of those resolutions is enclosed as well.

The University of Texas at Arlington

The University of Texas at Austin

The University of Texas at Brownsville

The University of Texas at Dallas

The University of Texas at El Paso

The University of Texas –Pan American

The University of Texas
of the Permian Basin

The University of Texas at San Antonio

The University of Texas at Tyler

The University of Texas
Southwestern Medical Center at Dallas

The University of Texas
Medical Branch at Galveston

The University of Texas
Health Science Center at Houston

The University of Texas
Health Science Center at San Antonio

The University of Texas
M. D. Anderson Cancer Center

The University of Texas
Health Science Center at Tyler

www.utsystem.edu

Chancellor Francisco D. Cigarroa, M.D.
March 22, 2011
Page 2

The 2010/2011 Student Advisory Council would like to express our sincere gratitude to Dr. Edward Baldwin, Dr. Wanda Mercer, Dr. James Studer, Ms. Pam Cole, Ms. Laura Hartmann, and the many University of Texas System staff who have assisted us in the past year.

With sincere appreciation,



Christof Straub
Chair, Student Advisory Council
The University of Texas System

Enclosures

cc: Dr. David B. Prior
Dr. Kenneth I. Shine, M.D.
Dr. Wanda L. Mercer
Dr. Edward C. Baldwin, Jr.

**THE UNIVERSITY OF TEXAS SYSTEM STUDENT ADVISORY COUNCIL
RECOMMENDATIONS TO THE BOARD OF REGENTS OF THE UNIVERSITY OF
TEXAS SYSTEM**

After careful consideration, we, the members of the University of Texas System Student Advisory Council (SAC), respectfully submit the following recommendations to the University of Texas Board of Regents. These recommendations concern a wide variety of students at multiple institutions in the University of Texas System.

Financial and Legislative Affairs

Recommendation 1

As higher education in the State of Texas faces further budget cuts this legislative cycle, The University of Texas System Student Advisory Council recommends that The Board of Regents encourage each institution to implement budget advisory councils with student representation.

Decreased state funding for higher education during the 2011-2012 and 2012-2013 budget cycles requires campuses across The University of Texas System to prioritize spending through evaluating university programs. Students at our system campuses already provide feedback on non-academic spending through student fee committees. Students should have similar opportunities to manage how their tuition dollars are supplemented by state funding when directed at academic programs.

The University of Texas at Austin recently set up College Tuition and Budget Advisory Councils consisting of students, faculty and administrators in each college to evaluate how budget cuts will impact the operations of academic departments within their respective schools. Implementing similar councils at each campus will maximize the System's ability to solve difficult budget problems by allowing a significant population, our students, to be involved in the process of spending prioritization.

Recommendation 2

The University of Texas System Student Advisory Council recommends that The Board of Regents request its institutions reevaluate their tuition-setting process to ensure more active student participation.

The University of Texas System requires institutions to involve students in the biennial tuition-setting process for each university by having campuses “engage in extensive consultations with students to develop tuition and fee proposals.” However, student engagement in and awareness of the tuition-setting process are inconsistent across the University of Texas System campuses. The University of Texas at San Antonio and The University of Texas at Arlington are model institutions within the System that emphasize transparency and consultation with student groups through their tuition policy advisory committees with substantial student representation.

In light of the upcoming tuition-setting cycle, we recommend that each System institution form tuition advisory committees that operate with a similar level of transparency and involvement from the student population.

Academic Affairs

Recommendation 3

The University of Texas System Student Advisory Council has signaled the importance of academic integrity issues on three separate occasions through recommending system-wide or institution-specific honor codes to The Board of Regents.

We understand that The Board of Regents does not wish to dictate requirements for honor codes to individual institutions. However, a student panel involved in cases of academic dishonesty would be an alternative way to facilitate student participation and awareness of academic integrity throughout the System. In the past, students have been advised against participating in disciplinary panels due to the System’s inability to provide legal defense for students acting on “behalf of the UT System or a UT

institution."¹ However, this policy changed as of October 2009, allowing for the legal representation of students by The Office of General Counsel.

Academic dishonesty devalues the integrity of students' education in The University of Texas System institutions. The Council believes that "by giving students genuine responsibility in a collaborative effort with faculty and staff members such a commitment [to academic integrity] can be fostered and maintained."² Student representation on a hearing panel provides for due process by creating a jury of peers.

The University of Texas System Student Advisory Council recommends that Regent's Rules allow students facing allegations of serious academic dishonesty to have the opportunity to request an impartial hearing panel with student representation in deciding cases.

Recommendation 4

The UT System Student Advisory Council recommends that The University of Texas System Board of Regents establish a task force to assess academic advising, particularly in the pivotal areas of student satisfaction, effectiveness, and efficiency for each institution.

The main priority of each institution is to provide students with the highest quality educational experience possible. By examining the level of student satisfaction with academic advising, The University of Texas System would improve its overall quality. The 82nd Texas Legislature also identifies this issue as a priority in Senate Bill 36.

In 2006, The University of Texas System Board of Regents unanimously passed a resolution to improve graduation rates over the next decade. Furthermore, in an opening statement to The University of Texas System Board of Regents, Chairman Powell included an initiative to increase the number of degrees conferred as one of the Board's top three priorities (Executive Summary of Remarks, 2011). Effective academic

¹ The University of Texas System Office of General Counsel, Guidelines on Providing Legal Representation to Students, October 2009

² Gary Pavela, Applying the Power of Association on Campus: A Model Code of Academic Integrity

advising is imperative to The University of Texas System's mission to increase freshman to sophomore retention, graduation rates, and overall student success.

Finally, in today's tough economic times, it is crucial that The University of Texas System re-examine programs for efficiency. Academic advising has a direct impact, not only on student success and timely completion rates, but also on the optimal use of funds.

For these reasons, we recommend The Board of Regents create a task force to develop recommendations geared towards improving academic advising with emphasis on the aforementioned core areas.

Health and Graduate Affairs

Recommendation 5

As The University of Texas System continues to produce well-educated Texans, we also have the opportunity to provide a healthier generation.

In 2009, the American College Health Association classified nearly one in three college students as obese. Studies from the National Cancer Institute show that a regulated diet is a key factor in obesity prevention. Investigative reports from around the nation, including Yale University's Rudd Center for Food Policy and Obesity, show that displaying nutritional facts on menus leads to healthier dietary choices.

Therefore, The University of Texas System Student Advisory Council recommends that The University of Texas System Board of Regents strongly encourages all institution dining facilities display nutritional facts including, but not limited to, caloric, fat, sodium, and sugar content.

Recommendation 6

Although the expectations of graduate students in The University of Texas System typically require year round commitment similar to employees, their classification as students or trainees does not afford them minimal protected time off. This situation often

results in an unhealthy lack and sometimes complete absence of leave time for students in graduate programs.

Research has shown that 44% of graduate students have high levels of emotional or stress-related problems affecting their well-being. One study further noted that graduate students are a population exposed to a higher level of stress due to “isolation from broader components of campus life, intense academic pressures, and increased presence of family and financial obligations.”

Overtaxing students results in deficits in performance, such as lapses in attention, an overall decrease in efficiency, and critical mistakes that may put both students and those around them in danger. However, providing adequate time off reduces stress, increases productivity, and improves mental and overall health.

In response to increasing national concern, the American Medical Association and the Accreditation Council for Graduate Medical Education have acknowledged these risk factors and imposed work-limits and time off regulations for medical students.

Notably, The University of Michigan System now includes time off and sick time as standard benefits for graduate students. These protections are not in place for graduate students in The University of Texas System.

We acknowledge that some mentors realize the benefits of, and currently provide, adequate time off for graduate students. However, this is not the case for all graduate students in The University of Texas System.

Given the need for rest and personal time to achieve adequate job performance and to maintain a minimum standard of mental and physical health, The University of Texas System Student Advisory Council strongly recommends that The University of Texas System Board of Regents implements sufficient time off guidelines for graduate students. These guidelines should be a bare minimum, allowing for additional time off negotiations between students and mentors.

Student, Faculty and Employee Campus Life

Recommendation 7

In the United States, more than one in four college-age adults smoke, placing smokers and those around them at increased risk for health issues. In 2010, the Surgeon General concluded that exposure to tobacco smoke leads to serious illness or death, and according to the Centers for Disease Control and Prevention, second-hand smoke exposure causes approximately 46,000 deaths per year.

Providing a smoke-free environment on college campuses will decrease smoke-related health issues, promote a healthier and more environmentally-friendly learning atmosphere, and will likely reduce smoking-related custodial costs.

Therefore, The University of Texas System Student Advisory Council recommends that The University of Texas System Board of Regents require all System institutions to implement a policy establishing smoke-free campuses within two years. For those institutions that have already adopted, or are seeking tobacco-free policies, we recommend that these policies are implemented and remain in effect.



Office of Academic Affairs
601 Colorado Street, Austin, TX 78701
Phone: (512) 499-4233 Fax: (512) 499-4240

January 24, 2011

Ms. Colleen McHugh
Chairman, Board of Regents
The University of Texas System
201 W. 7th St., Suite 820
Austin, TX 78701-2981

Francisco G. Cigarroa, M.D.
Chancellor
The University of Texas System
601 Colorado Street
Austin, TX 78701-2981

Dear Chairman McHugh and Chancellor Cigarroa:

As Chair of the University of Texas System Student Advisory Council (UTSSAC), I am writing to you today to formally introduce five resolutions on behalf of the council. In our November meeting, the council passed these resolutions that we would like to pass on to you prior to our presentation of our recommendations in May. Please find the wording of the resolutions below.

RESOLUTION 1

INCREASE THE NUMBER OF MEDICAL RESIDENCY POSITIONS IN THE STATE OF TEXAS

WHEREAS Texas ranks 42nd in the nation and falls well below the national average of physicians per capita and therefore presents an urgent and unmet need for qualified physicians¹; and,

WHEREAS the continued the pursuit of excellence in the training of Texas physicians, requires medical students to complete an Accredited Council for Graduate Medical Education (ACGME) accredited residency training program; and,

WHEREAS the number of medical students graduating from Texas medical schools continues to rise, it is important to concomitantly increase the number of ACGME accredited residency positions in Texas to retain highly qualified and Texas trained physicians; and,

¹ <http://bhpr.hrsa.gov/healthworkforce/reports/statesummaries/texas.htm>

WHEREAS inadequate residency positions for Texas medical graduates contributes to about 45% of these graduates accepting out of state residency positions, most of whom set up practices within 100 miles of their residency training²; and,

WHEREAS the state of Texas invests more than \$200,000 per medical graduate and nearly 1,200 students graduate from Texas medical schools annually, Texas forfeits approximately \$108 million each year due to inadequate availability of ACGME residency training positions for medical students who wish to remain in Texas³; and,

WHEREAS UT System Executive Vice Chancellor for Health Affairs, Dr. Kenneth Shine, recognizes the need for concomitant increases in in-state ACGME residency positions with rising enrollment numbers; therefore,

BE IT RESOLVED that the UT System Student Advisory Council strongly encourages and supports the UT Board of Regents in the quest to seek Texas State Legislation that creates additional ACGME residency positions within the state of Texas to better meet the urgent demand for quality physicians and protect investments in medical student education and training.

RESOLUTION 2

MINIMIZE FINANCIAL IMPACT ON HIGHER EDUCATION DURING FISCAL YEAR 2012-2013

WHEREAS student enrollment and financial needs for higher education tend to increase in times of economic hardship; and

WHEREAS higher education sustained forty-one percent (41 %) of the overall budget cuts for the 2010-2011 biennium, despite consisting of only twelve and one-half percent (12.5 %) of all state spending; and

WHEREAS institutions of The University of Texas System have already been mandated by Texas state officials to reduce their current budgets by 7.5 % in 2010; therefore,

BE IT RESOLVED that The University of Texas System Student Advisory Council urges The University of Texas System to actively recognize the importance of the Texas Legislature to consider higher education proportionate to its share of the state's budget when cutting funding for Fiscal Year 2012-2013.

² Houston Chronicle; <http://www.chron.com/disp/story.mpl/editorial/7276313.html>

³ <http://www.statehealthfacts.org>

RESOLUTION 3

SUPPORT OF TEXAS GRANT PROGRAM

WHEREAS the TEXAS Grant program can determine a student's ability to pursue higher education; and

WHEREAS a TEXAS Grant significantly increases a student's probability of graduating from college⁴; and

WHEREAS a ten percent (10 %), \$43 million, cut in the TEXAS Grant program would signify 40,400⁴ fewer new grants available to college students in the next biennium; and

WHEREAS seventy-six percent (76 %) of the TEXAS Grant funds were distributed to minority students for the fiscal years 2005 to 2009; and

WHEREAS it is a priority of the Texas Higher Education Coordinating Board to "Close the Gap" and cuts would disproportionately affect minority students dependent upon the TEXAS Grant program; therefore,

BE IT RESOLVED that The University of Texas System Student Advisory Council urges The University of Texas System to actively recognize the importance of the Texas Legislature to maintain the current level of funding to the TEXAS Grant program in the state budget for Fiscal Year 2012-2013.

RESOLUTION 4

TEXTBOOK AFFORDABILITY

The University of Texas System Student Advisory Council supports the passage of House Bill 33 during the 82nd Texas Legislature Regular Session. The Council believes that the four action items of House Bill 33 in their totality support the needs of higher education students in the State of Texas. To strengthen the provisions of the Federal Higher Education Opportunities Act of 2008 and to give students the resources to make cost effective decisions, the Texas Legislature should adopt the following four requirements as listed in House Bill 33:

- Section 51.452: The Dissemination of Course Schedule and List of Required and Recommended Textbooks

⁴ <http://www.thecb.state.tx.us/download.cfm?downloadfile=F381DD79-D6D3-C2D8-DD2A1AD47D082185&typename=dmFile&fieldname=filename>

- Section 51.453: Textbook Assistance Information for Students
- Section 51.454: Textbook Publishers: Availability of Information to Faculty Concerning Textbook Prices, Revisions, and Copyrights
- Section 51.455: Textbook Bundles

Students spend an average of \$900⁵ per year on textbooks, and this legislation is important in alleviating the financial burden placed on all students. Therefore, The University of Texas System Student Advisory Council urges The University of Texas System to actively support House Bill 33 in the 82nd Texas Legislature Regular Session.

RESOLUTION 5

COMPETITIVE INSURANCE BENEFITS

Competitiveness

WHEREAS in September 2010, President William Powers of The University of Texas at Austin stated that “the fact that we don’t have competitive benefits for same-sex couples puts us at a competitive disadvantage in recruiting students and staff, and that’s an issue that we need to get solved;”⁶ and,

WHEREAS there are several documented cases of a System school losing talented faculty, staff, and prospective hires due to current restrictions denying benefits to same-sex partners of employees⁷; and,

WHEREAS UT System schools must compete for faculty within the State of Texas with Baylor College of Medicine⁸, Southern Methodist University⁹, Trinity University¹⁰, Rice University¹¹, and Southwestern University¹², which do not deny benefits to same-sex couples; and,

⁵ <http://www.uspirg.org/higher-education/affordable-textbooks>

⁶ As quoted in The Daily Texan, 06 Sep 2010

⁷ “Questions and Answers about Domestic Partner Benefits.” Pride and Equity Faculty Staff Association: Domestic Partner Benefits Subcommittee; the University of Texas at Austin, April 2008. <<http://www.utexas.edu/staff/pefsa/DPBreport.pdf>>.

⁸ “Benefits Cost & Coverage Information (2010).” Baylor College of Medicine. <http://www.bcm.edu/pdf/2010CostSupplementInfo.pdf>.

⁹ “Human Resources.” Southern Methodist University. <<http://smu.edu/HR/benefits/DomesticPartner.asp>>.

¹⁰ http://web.trinity.edu/Documents/hr_docs/Aetna_Final_Summary_Plan_Document_2009.pdf>.

¹¹ http://people.rice.edu/benefits.cfm?doc_id=7514.

¹² “Faculty Benefits Summary, Effective January 1, 2009.” Southwestern University. <http://www.southwestern.edu/fiscalaffairs/stuff/hr/FacultyBenefits-2009.pdf>.

Current Texas Law

WHEREAS Chapter 51 of the Texas Education Code requires that The University of Texas System offer benefits that are “comparable” and “at least equal to” those offered by peer institutions, state agencies, and private industry; and,

WHEREAS Chapter 1601 of the Texas Insurance Code is intended to enable The University of Texas System to “attract and retain competent and able employees by providing employees with basic life, accident, and health benefit coverages;” and,

WHEREAS Chapter 1601 of the Texas Insurance Code mandates that The University of Texas System shall “determine basic coverage standards that must be comparable to those commonly provided: (A) in private industry; and (B) to employees of another agency or an institution of higher education in this state;” and,

WHEREAS due to differences in the Texas Insurance Code, the Board of Regents of The University of Texas System currently interprets Texas law as forbidding competitive benefits for same-sex couples, although other public entities, including the City of Austin, not only provide employment benefits, but also unemployment and bereavement benefits¹³ to same-sex couples¹⁴; and,

WHEREAS nine of eleven peer institutions of UT System schools offer competitive benefits for same-sex couples, and more than half of those institutions are in states which have “defense of marriage” (or DOMA-like) laws similar to those of the State of Texas; and,

WHEREAS several states with DOMA-like laws have not acted to overrule universities that have chosen to provide benefits to same-sex couples, while some peer institutions have adapted to such restrictions, including via the introduction of language providing benefits to “Other Qualified Adults”, and potentially by supplementing the income of affected employees to cover the cost of private insurance plans; and,

¹³ The federal government typically provides for certain unemployment and bereavement benefits via the Consolidated Omnibus Budget Reconciliation Act (COBRA), but not to same-sex partners. The City of Austin provides COBRA-like unemployment and bereavement benefits (divorce, death, or layoffs) in addition to regular employment benefits for same-sex partners.

¹⁴ <http://www.statesman.com/blogs/content/shared-gen/blogs/austin/cityhall/entries/2009/11/02/city_of_austin_expands_samesex.html?cxntfid=blogs_city_and_county_beat>.

WHEREAS all of the schools in *U.S. News & World Reports'* list of the top ten colleges and universities (from 2007) offer competitive benefits for same-sex couples, as do all Ivy League universities¹⁵; and,

WHEREAS 83% of Fortune 100 companies offer competitive benefits for same-sex couples¹⁶; and,

Financial Impact

WHEREAS, Extending health insurance benefits to same-sex couples was estimated to cost 0.58% (approximately \$300,000) of the current health insurance expenditures budget of The University of Texas at Austin, while the monetary cost of replacing just one faculty member who leaves based on denial of benefits was estimated at between \$214,000 and \$1.2 million; and,

Non-Discrimination

WHEREAS the UT System non-discrimination policy reads, "No person is to be subject to discrimination on the basis of sexual orientation regarding admissions; employment; or access to programs, facilities or services of The University of Texas System. External users of System facilities should also be encouraged to adhere to principles of fair treatment and equal opportunity except as otherwise authorized by laws or governmental regulations."; and,

WHEREAS The University of Texas at Austin's Human Resource Services calculated that a sample employee earning a salary of \$80,000 will receive \$8,108 less in compensation per year due to the denial of competitive benefits for same-sex couples, in addition to facing the financial burden of purchasing an individual insurance policy out-of-pocket; and,

WHEREAS Legislation seeking to amend the Texas Insurance Code, by requiring and empowering The University of Texas System to offer employees competitive benefits, was left pending in the House Insurance Committee during the 81st Session of the Texas Legislature (2009)¹⁷; therefore,


¹⁵ Russell, Alene. 2007. "Domestic Partnership Benefits: Equity, Fairness, and Competitive Advantage." American Association of State Colleges and Universities.

¹⁶ http://www.hrc.org/issues/workplace/benefits/domestic_partner_benefits.htm

¹⁷ <http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=81R&Bill=HB861>

BE IT RESOLVED that The University of Texas System Student Advisory Council urges The University of Texas System Board of Regents to extend competitive insurance benefits to same-sex partners of employees and retirees of the UT System.

Sincerely,



Christof Straub
Chair, The University of Texas System Student Advisory Council

cc: Dr. David Prior
Mr. Kenneth Shine, M.D.
Ms. Francie Frederick, General Counsel to the Board of Regents
Dr. Edward Baldwin, Senior Policy Analyst, Academic Affairs